



Letters from
Hon'ble Chief Minister of Tamil Nadu
to Hon'ble Prime Minister of India




Special Publication No.51

Tamilarasu

May 2015

Published by :
Director,
Information and Public Relations Department,
Government of Tamil Nadu,
Chennai - 600 009.

Printed by :
Tamilarasu Press,
110, Anna Salai,
Chennai - 600 002.



Preface

அஞ்சாமை ஈகை அறி(வு) ஊக்கம் இந்நான்கும்
எஞ்சாமை வேந்தர்க்க(கு) இயல்பு

(குறள் 382)

*“Unfailing courage, charity, wisdom and zeal
These four are qualities regal”*

(Kural 382)

Hon'ble Chief Minister of Tamil Nadu always stands for the cause of Tamils and Tamil Nadu. Hon'ble Tamil Nadu Chief Minister's words and deeds centre around the people and their welfare.

Hon'ble Chief Minister of Tamil Nadu has written a number of letters to the Hon'ble Prime Minister of India, relating to the burning problems and issues pertaining to Tamil Nadu such as release of Tamil Nadu fishermen abducted by Sri Lankan Navy, reduction of diesel and petrol prices (subsidy), release of Cauvery water (notification of the final verdict of the Cauvery Tribunal in the Government gazette and raising of water level of Mullai Periyar dam), Food Security Bill and National Counter Terrorism.

These letters have been compiled in the form of a book by the Department of Information and Public Relations, Government of Tamil Nadu.

This book will surely be a most valuable document of historical importance for posterity.

I commend the services of Thiru.J. Kumaragurubaran IAS, Director of Information and Public Relations Department and his team for their good work,



M. Rajaram IAS

Secretary to Government

Tamil Development & Information Dept.

CONTENTS

S.NO	LETTER CONTENT	PAGE NUMBER
1.	Requesting Timely Supply of Allotted Quantity of DAP and other Fertilizers (23.05.2011).....	1
2.	Demanding Enhancement of Kerosene Allotment (01.06.2011).....	3
3.	Requesting Allocation of Additional Power of 1000 MW from the Central Pool (06.06.2011).....	5
4.	‘Act to Release Fishermen Arrested by the Sri Lankan Navy’ (07.06.2011).....	7
5.	Condemning Frequent Incidents of Arrest and Detention of Tamil Nadu Fishermen (21.06.2011).....	9
6.	Demanding Inclusion of Badaga Community in the List of Scheduled Tribes (28.07.2011).....	11
7.	Requesting Modification of the Dam Safety Bill, 2010 (29.07.2011).....	13
8.	Objection to Proposed All India Common Medical Entrance Test (30.07.2011).....	17
9.	‘Initiate Consultative Process to Arrive at Broad Consensus on GST’ (18.08.2011).....	21
10.	Demand for All Party Delegation on Koodankulam Project (19.09.2011).....	27

11. Central Intervention Sought in Sri Lankan Attack (10.10.2011)	30
12. ‘Publish the Final Order of Cauvery Water Disputes Tribunal in the Gazette of India’ (17.10.2011)...	34
13. ‘View Sri Lankan Attacks on Tamil Nadu Fishermen as a National Issue’ (07.11.2011).....	38
14. Centre should Assert itself to Contain Rogue Elements in Sri Lankan Navy (16.11.2011)	42
15. Requesting the Centre to Advise the Government of Kerala on Mullai Periyar Dam Issue (23.11.2011).....	45
16. Indian Coast Guard’s Outrageous Stand on Tamil Nadu Fishermen (26.11.2011).....	49
17. ‘Advise Kerala not to Participate in the Matters of Mullai Periyar Dam Issue’ (29.11.2011).....	51
18. Expressing Grave Concern on the Security Threat to Mullai Periyar Dam (04.12.2011)	53
19. ‘Intervene in Matters of Grave Concern to the Government of Tamil Nadu and its People’ (07.12.2011)..	56
20. Allaying Fears on the Koodankulam Nuclear Power Project (17.12.2011)	59
21. ‘Exempt Tamil Nadu from the Purview of the Food Security Bill’ (20.12.2011).....	61
22. ‘Withdraw Office Memorandum of the National Disaster Management Authority’ (20.12.2011) ..	65
23. ‘Deploy Central Industrial Security Force at Mullai Periyar Dam’ (09.02.2012)	68
24. Seeking Reconsideration of the Order of Ministry of Home Affairs on the NCTC (17.02.2012).....	71

25. ‘In-Depth Analysis and Consultation with All the States Needed on NCTC’ (20.02.2012).....	75
26. ‘Consult Government of Tamil Nadu before Granting Visas to Sri Lankan Dignitaries’ (07.03.2012)	77
27. Demand for Easing Congestion in the Power Transmission Corridor (09.03.2012).....	79
28. ‘Restore the Rights of Indian Fishermen in the Palk Strait’ (17.03.2012)	82
29. ‘Remove Objectionable Clauses from the Draft of Dam Safety Bill’ (17.03.2012)	85
30. Demanding Declaration of Ram Sethu as National Monument (28.03.2012).....	87
31. ‘Allot Entire Power Generated from Koodankulam to Tamil Nadu’ (31.03.2012).....	90
32. ‘Stop Formation of NCTC’ (02.04.2012)	92
33. Vehement Objection to National Commission for Human Resources for Health Bill 2011 (12.04.2012).....	94
34. ‘Compensate State for Revenue Losses due to the CST Reduction’ (14.04.2012).....	96
35. Request to Postpone Restricting Power Grid Frequency Band Width (15.04.2012)	100
36. Demand for the Appointment of New Chairman for Cauvery Water Disputes Tribunal (19.04.2012).....	103
37. Requesting Amendment to the BSF Act in the Chief Ministers’ Meet (19.04.2012).....	105

38. Early and Safe Release of Abducted District Collector in Chhattisgarh (23.04.2012)..... 108
39. Demanding Entire Allotment of Power from Koodankulam Power to Tamil Nadu (25.04.2012)..... 110
40. ‘Restore Interest Rate on RIDF Loans’ (26.04.2012)..... 112
41. ‘Convene Cauvery River Authority Meet’ (18.05.2012)..... 115
42. ‘Restrain Karnataka Government from Constructing Check Dam Across Pennaiyar’ (19.05.2012)..... 118
43. Demand to Increase Allocation of Kerosene to Tamil Nadu (25.05.2012)..... 121
44. ‘Advise Kerala Against Obstructing Tamil Nadu Officials at the Site of Mullai Periyar Dam (27.05.2012)..... 123
45. Demanding Increase of Allotment of Kerosene to Tamil Nadu (10.06.2012)..... 126
46. Expressing Tamil Nadu’s Concern on Proposal to Construct Dam Across Siruvani (21.06.2012) 128
47. Demanding Full Requirement of Fertilizers to Tamil Nadu (26.06.2012)..... 131
48. ‘Impress upon the Sri Lankan Government that its Navy must Refrain from Harassing Indian Fishermen (27.06.2012)..... 136
49. ‘Take up with Sri Lanka issue of Immediate Release of All Arrested Fishermen’ (04.07.2012)..... 138

50. A Call to Stop the Training to Sri Lankan Armed Force in India (16.07.2012).....	140
51. Demanding Investigation into the Death of Tamilian in Dubai (17.07.2012).....	143
52. Demanding the Release of 23 Rameswaram Fishermen (23.07.2012).....	146
53. Demanding Total Allocation of Power from Koodankulam (19.08.2012).....	149
54. ‘Put a Stop to Harassment of Indian Fishermen by Sri Lankan Navy’ (20.08.2012).....	151
55. ‘Advise Government of Karnataka to Release Water from its Reservoirs’ (23.08.2012).....	154
56. Halt Training to Sri Lankan Defence Personnel (25.08.2012).....	157
57. ‘Send Back Sri Lankan Defence Personnel to Sri Lanka’ (28.08.2012).....	159
58. Requesting direction to Direct JIPMER to Revert to Earlier Practice of Offering Free Service to the Public (03.09.2012).....	161
59. ‘Exempt Tamil Nadu from All India Common Entrance Test for Admission to Dental Colleges’ (07.09.2012).....	163
60. Strong Objections by Government of Tamil Nadu to All India Common Entrance Test for Admission to Medical Colleges (30.09.2012).....	166
61. Request Central Intervention to Overcome Power Crisis in Tamil Nadu (23.10.2012).....	170

62.	A Plea for the Constitution of Cauvery Management Board and Cauvery Water Regulation Committee (22.02.2013).....	173
63.	‘Take up with Sri Lankan Authorities the issue of Release of Indian Fishermen’ (04.03.2013).....	176
64.	Request to Amend the Changes Notified by UPSC Regarding Civil Services Examination (13.03.2013).....	178
65.	Demand for Intervention to stop in Harassment of Indian Fishermen by Sri Lankan Navy (14.03.2013).....	183
66.	Objection to Western Ghats Ecology Authority (15.03.2013).....	186
67.	Seeking Support for the US Sponsored Resolution Against Genocide by Sri Lankan Government (18.03.2013).....	190
68.	Conferring the Cancer Institute, Adyar, with National Status of ‘Centre for Excellence’ (21.03.2013).....	197
69.	Objecting to India’s Participation in CHOGM in Colombo (25.03.2013).....	200
70.	Objection to Sri Lankan IPL Players Playing in Chennai (26.03.2013).....	205
71.	‘Restrain Karnataka from Move to Divert Pennaiyar River (27.03.2013).....	209
72.	Concern Over Isolation of Tamil Nadu in Kerosene Allotment (09.04.2013).....	211
73.	‘Route Direct Benefit Transfer Scheme through State Government’ (27.04.2013).....	215
74.	‘Implement Final Order of Cauvery Water Tribunal in Full Spirit’ (17.05.2013).....	221

75. ‘Take Urgent Measures to Get Back Katchatheevu’ (20.05.2013).....	224
76. An Appeal to Stop Further Disinvestment or Dilution of Centre’s Share in NLC (23.05.2013).....	227
77. Demanding a Permanent Solution to the Harassment of Tamil Nadu Fishermen by Sri Lankan Navy (06.06.2013).....	230
78. Requesting Transfer of One – Horned Rhinoceros pairs to Arignar Anna Zoological Park, Vandalur (18.06.2013).....	233
79. Demanding Reconsideration of Amendments to Food Security Bill (02.08.2013)	235
80. Request to Stop Arrest of Tamil Nadu Fishermen in Palk Strait (06.08.2013).....	244
81. Requesting Necessary Steps to Include all SCs in the Constitution Order List Irrespective of Religion (09.08.2013).....	248
82. Demanding Immediate Action on Tamil Nadu Legislative Assembly Resolution Urging CHOGM Boycott (12.11.2013).....	255
83. Seeking Personal Intervention to Secure Release of Tamil Nadu Fishermen from Sri Lanka (22.11.2013)	258
84. Condemning the Training by Ministry of Defence to Sri Lankan Naval Officers (30.11.2013).....	261
85. Requesting Quick and Decisive Action for the Release of Tamil Nadu Fishermen from Sri Lanka (12.12.2013).....	265
86. Seeking Stern Measures to Deal with Sri Lankan Authorities in a Concrete and Decisive Manner (06.01.2014).....	270

87. 'Activate Diplomatic Channel to Secure the Release of Fishermen' (30.01.2014).....	273
88. Seeking Personal Intervention to Ensure the Immediate Release of Tamil Nadu Fishermen (14.02.2014).....	276
89. Expressing Deep Anguish and Pain over the Continued Apprehension of Tamil Nadu Fishermen (04.03.2014)....	279
90. Demanding Speedy Release of 177 Tamil Nadu Fishermen and their Boats (07.03.2014).....	282
91. Reiterating need for Conducive Atmosphere for Talks on Release of Fishermen (20.03.2014).....	285
92. Launch Crackdown on Smuggling of Chinese Fireworks (11.04.2014).....	288
93. Congratulating Prime Minister Designate (16.05.2014) ..	291
94. Chief Minister Seeks Firm Action from New Government to Solve Fishermen Problems (01.06.2014).....	292
95. Chief Minister Urges Prime Minister to Act Swiftly on Tamil Nadu Issues (03.06.2014)	296
96. Chief Minister Writes to Prime Minister on Abducted Tamil Aid Worker (04.06.2014).....	299
97. Urging Centre to Issue DAS Licence to Arasu Cable TV (05.06.2014).....	300
98. Chief Minister Seeks Permanent Solution to Fishermen's Woes (08.06.2014).....	304
99. 'Retain Subsidy for Fertilizer Units till Switch over to Gas' (09.06.2014).....	308
100. Chief Minister Writes to Prime Minister Asking for Cauvery Management Board (13.06.2014).....	311

101. Thanks for Panel on Mullai Periyar Dam (18.06.2014).....	346
102. Seeking Prime Minister’s Personal Intervention for Immediate Release of Fishermen (19.06.2014).....	347
103. Seeking Help to Rescue Nilgiris Nurses from Iraq (19.06.2014).....	352
104. Reminding the Centre of Provision of Use of English (20.06.2014).....	353
105. Plea for Strong Diplomatic Action to Free Fishermen (29.06.2014).....	356
106. High Hopes on Raising Level of Mullai Periyar Dam (02.07.2014).....	359
107. Expressing Shock at MEA Stand on Maritime Boundary (02.07.2014).....	360
108. Swift Issue Sought of DAS Licence to Arasu Cable (04.07.2014).....	363
109. Centre Must Ask Sri Lanka to Rein in its Navy (06.07.2014).....	367
110. Plea to Restore Tamil Nadu’s Due Kerosene Allocation (11.07.2014).....	370
111. Need for Classical Language Week (18.07.2014).....	373
112. Request for AIIMS in Tamil Nadu (18.07.2014)	375
113. Demanding an Inter Ministerial Group on Fishermen Issue (21.07.2014)	377
114. Calling for Decisive Measures to Solve Fishermen Livelihood (22.07.2014).....	382





115. ‘Ensure Visas for UN Probe Panel on Sri Lanka Violations’ (23.07.2014).....	385
116. Requesting for Increase of Hajj Quota (26.07.2014).....	388
117. A Call for Immediate Release of Fishermen, Boats (29.07.2014).....	390
118. ‘India should Protest Sri Lanka Defence Ministry’s Tasteless Gibe’ (01.08.2014).....	393
119. Chief Minister Writes to Prime Minister on Long Term Transmission Capacity (13.08.2014).....	396
120. Consensus Sought on Key GST Issues (17.08.2014).....	399
121. Tamil Nadu Warning Against Area-Based Economic Incentive (24.08.2014).....	404
122. Demanding Mechanisms to Resolve Fishing Dispute (02.09.2014).....	410
123. Sri Lanka’s High Handedness on Retrieving Katchatheevu (09.09.2014).....	413
124. Chief Minister Expresses Concern over GST Legislation (10.09.2014).....	416
125. Chief Minister Brings Other CMs into GST Discussion (10.09.2014).....	422
126. Demanding Priority to Rights of Tamil Nadu Fishermen (11.09.2014).....	423
127. Seeking Help from Centre to Free Fishermen Held in Qatar (23.09.2014).....	429
128. Apprising Prime Minister on Detained Fishermen’s Plight (25.09.2014).....	431

129. Centre Urged to take Positive Steps on Detained fishermen (30.09.2014).....	433
130. Urgent Steps Sought for Release of 24 Fishermen by Sri Lanka (08.10.2014).....	436
131. ‘Allow Working of Naphtha-based Fertilizer Units’ (11.10.2014).....	439
132. ‘Ensure Safety of Impounded Boats’ (16.10.2014).....	441
133. ‘More Contact Centres Needed in State for UDAAN Scheme’ (29.10.2014).....	444
134. Steps Demanded to Save Death Row Fishermen (30.10.2014).....	446
135. ‘Save Tamil Nadu Fishermen Suffering in Saudi Arabia’ (31.10.2014).....	450
136. Tamil Nadu Objects to Kerala Plan for Pambar Dam (08.11.2014).....	452
137. Centre Asked to Restrain Karnataka from Going Ahead with Dam Proposals (12.11.2014).....	455
138. ‘Cooperate in Storing Water up to 142 feet’, Kerala Government Told (16.11.2014).....	458
139. Another Incident of Arrest of Fishermen: Central Intervention Sought for Release (24.11.2014).....	461
140. ‘Route Subsidies to LPG Consumers Through State Governments’ (28.11.2014).....	466
141. ‘Drop move to Scrap Subsidized Kerosene Supply through PDS’ (06.12.2014).....	469
142. Quick Issue of DAS Licence Urged to Tamil Nadu Arasu Cable (09.12.2014).....	472

143. Long-term Solution to Problems of Fishermen Sought (10.12.2014).....	477
144. ‘Intervene to Free 24 Fishermen Arrested by Bangladesh Navy’ (11.12.2014)	480
145. ‘Scrap Clearance to Kerala for Study Regarding New Mullai Periyar Dam’ (13.12.2014).....	482
146. ‘Secure Release of Fishermen, Boats’ (16.12.2014).....	485
147. Centre urged Against Rushing through Legislation on GST (19.12.2014)	487
148. Tamil Nadu Reiterates Demand for Release of Fishermen (20.12.2014).....	492
149. Centre Asked to Re-think ‘Skewed Amendment’ to Electricity Act (23.12.2014).....	494
150. Request for 100 MW Unallocated Power from Kudankulam (29.12.2014).....	496
151. ‘Continue Subsidy for Naphtha-based Fertilizer Plants’ (30.12.2014).....	498
152. ‘Denotify Bulls from List of Performing Animals’ (14.01.2015).....	501
153. ‘Voluntary Repatriation only after Credible Measures by Sri Lanka Government’ (28.01.2015)	504
154. Reminder to Railway Minister on Projects Crucial for Tamil Nadu (06.02.2015).....	509
155. Release Sought of 29 Fishermen held by Sri Lankan Navy (27.02.2015).....	516
156. Tamil Nadu Conditions for Taking Over ESIC Medical Colleges (11.03.2015).....	519
157. ‘Constitute Cauvery Management Board Immediately’ (21.03.2015).....	523

158. 'MEA must Forthwith Take up Release of Indian Fishermen with Sri Lanka' (22.03.2015)..... 527
159. 'Release Water from Kandaleru for Chennai' (31.03.2015)..... 530
160. Central Sanction Sought for Financial Package to Boost Fishermen's Lives (04.04.2015)..... 532
161. Red Sanders Killings – Tamil Nadu Wants Credible Enquiry (07.04.2015)..... 536
162. Centre must Stop Karnataka from Going Ahead with Mekedatu Plans (25.04.2015) 538
163. 'Need to Reconsider Any Changes to Interest Subvention Scheme' (29.04.2015) 541
164. New Central Guidelines on Fishing 'Illegal, Set Dangerous Precedent' (03.05.2015) ... 545
165. Tamil Nadu Seeks Strict Adherence to Provisions of RTE Act (05.05.2015)..... 552
166. Centre Asked to Remedy Problem of Vallur Plant Coal Shortage (07.05.2015)..... 557
167. 'Centre should Ensure that Expenditure Priorities of States are not Distorted' (08.05.2015)..... 559






**Requesting Timely Supply of Allotted
Quantity of DAP and other Fertilizers**



D.O. letter dated 23.05.2011

After the new Government took charge under my leadership, the Agriculture sector is being given the highest priority. As per the Indian Meteorological Department (IMD) forecast, the South West Monsoon is expected to commence as per schedule. The current availability of water in the major reservoirs across the State is encouraging. In the light of these favourable factors, the State is geared up for cultivation during the ensuing Khariff season.

I wish to bring to your kind notice that the State has been given an allocation of 2 lakh tonnes of DAP (Di-Ammonium Phosphate) by the Government of India for the Khariff season 2011. With regard to the allocation of 47,000 tonnes of DAP up to May 2011, the State has received only 20,000 tonnes. There is already a shortfall of



27,000 tonnes. We will require an additional 30,000 tonnes of DAP during June 2011 for the Kuruvai cultivation.

I request your kind intervention for ensuring the timely supply of the allotted quantity of DAP and other fertilizers.

★ ★ ★




**Demanding Enhancement
of Kerosene Allotment**



D.O. letter dated 01.06.2011

I wish to draw your kind attention to the reduced allocation of kerosene made by the Government of India for Tamil Nadu under the Public Distribution System. You are aware that kerosene is one of the important items under the Public Distribution System to protect card holders against inflationary pressures.

There are 1.95 crore Ration card holders in our State enjoying various entitlements. Kerosene is supplied to them as per the approved norms. The actual requirement of kerosene is 65,140 kilo litres per month for our State. Recently, the Government of India has drastically reduced the allocation of kerosene to 44,580 kilo litres for the month of June, 2011, from the earlier allocation of 52,806 kilo litres per month. This allocation itself was a reduced one from the earlier allocation of 59,780 kilo litres given





up to March, 2010. This gradual reduction of kerosene allocation to our State over the last two years has been putting the Public Distribution System under severe stress.



You will appreciate that it would be very difficult for the State Government to meet the genuine domestic needs of the public with reduced quantity of kerosene.

I request your kind intervention to enhance the allotment of kerosene from 44,580 kilo litres to 65,140 kilo litres per month to our State immediately.

★ ★ ★

**Requesting Allocation of Additional
Power of 1,000 MW from
the Central Pool**





D.O. letter dated 06.06.2011

I would like to draw your kind attention to the severe power shortage faced by the people of Tamil Nadu.

Due to increasing demand and stagnant generation of power, the Tamil Nadu Electricity Board has been resorting to scheduled load shedding of about 1500 MW and frequent unscheduled load shedding. This has badly affected the industrial sector and the domestic consumers. Agriculture is the worst hit sector due to irregular and inadequate supply of power to agricultural pump sets, thus affecting food production.

I wish to inform you that additional generation of power in Tamil Nadu may take one or two years, since many new projects are in various stages of construction. Even the Central power projects such as the Koodangulam Atomic Power station (2 x 1000 MW) and Neyveli



Thermal Power Station Stage II expansion (2 x 250 MW), which were expected to commence power generation by the year 2009 are yet to be completed and commissioned causing serious concern to the State Government.

I have taken several steps to improve energy efficiency and to reduce the gap between supply and demand. Despite these efforts, I am afraid that the power shortage is likely to continue for some more time due to lack of capacity for additional generation of power. Therefore, I request your personal intervention to immediately allocate additional power of 1000 MW from June 2011 to May 2012, from the Central Pool to meet the genuine needs of the farmers and the public. I also request you to kindly issue instructions to speed up the completion of the ongoing Central Power Projects in Tamil Nadu.







**‘Act to Release Fishermen Arrested
by the Sri Lankan Navy’**




D.O. letter dated 07.06.2011

I would like to bring to your attention a recent incident of arrest of 4 Tamil Nadu fishermen by the Sri Lankan Police. The following four fishermen of Rameswaram Island 1) Thiru Jayakumar, 2) Thiru Prabhat, 3) Thiru Sundar and 4) Thiru Marimuthu went fishing in a mechanized boat bearing Registration No.TN/12/MFB/252 from Rameswaram base on 1.6.2011 and were expected back on shore on 2.6.2011.

On 2.6.2011, when the fishermen were out at sea, sudden inclement weather and heavy winds resulted in the destruction of their boat. The above four fishermen of the capsized boat swam for about 8 hours through mid-sea and landed on the coast of Nainatheevu of Sri Lanka. They surrendered before the army check post, and were handed over to the Kayts Police on





3-6-2011. They were then, produced before the Kayts Court on 6.6.2011 and were remanded to Police custody till 17.6.2011.

The families of the arrested four fishermen and various Fishermen Associations in the Rameswaram area have appealed to the Government of Tamil Nadu for early release of these apprehended fishermen. The Government of Tamil Nadu is also in constant touch with the officials of the Sri Lankan High Commission for arranging their early release.



I would like to seek your kind intervention in the issue and request you to ensure that the Government of Sri Lanka releases the above apprehended fishermen without further delay.

The Government of Tamil Nadu and the fishermen will be grateful if these members are released immediately as a gesture of goodwill by the Sri Lankan Government, who have already assured in various bilateral meetings that the Indian fishermen who inadvertently stray into Sri Lankan waters will be released expeditiously without prolonged legal hurdles.

★ ★ ★

**Condemning Frequent Incidents
of Arrest and Detention of
Tamil Nadu Fishermen**





D.O. letter dated 21.06.2011

It has been brought to my notice that 23 fishermen of Tamil Nadu who accidentally strayed into Sri Lankan waters while fishing were taken into custody by the Sri Lankan Navy and taken to Thalaimannar Police Station yesterday (20.6.2011) afternoon.

After my Government took charge in May, 2011, 4 fishermen whose boat had capsized were arrested and remanded to custody by Kayts Court in Sri Lanka. I had written to you about this on 7th June, 2011. In your letter dated 15th June, 2011, you had informed me that the matter had been taken up with the Sri Lankan Government. These fishermen were released on 17th June, 2011, and I thank you for your kind intervention in this regard.



I wish to reiterate that the frequent incidents of arrest and detention of Tamil Nadu fishermen crossing





the International Maritime Boundary Line which is very close to the shore off Rameswaram in the Palk Bay area, is worrisome. This also creates a lot of tension and unrest among the fishermen in Tamil Nadu. I had discussed this vexatious issue when I called on you at New Delhi on 14.6.2011. I also discussed this issue with Shri Shivshankar Menon, National Security Advisor, on two occasions, once when he called on me before leaving for Colombo on 9th June, 2011, and again during our discussions on 14.6.2011.

I am distressed to note that the Sri Lankan Navy has again taken into custody 23 fishermen along with 5 boats because they strayed accidentally into Sri Lankan waters. I seek your kind intervention in this issue and request you to ensure that the Sri Lankan Government releases the 23 fishermen taken into custody immediately.

★ ★ ★


**Demanding Inclusion of Badaga
Community in the List
of Scheduled Tribes**

D.O. letter dated 28.07.2011

I would like to draw your kind attention to the long pending request of the Badaga Community in the Nilgiris District in Tamil Nadu to include them in the list of Scheduled Tribes. This issue has been pending for a long time.

During my earlier tenure, I wrote a letter to the Hon'ble Union Minister of Tribal Affairs, Government of India, on 5.9.2003 with a detailed analysis of various attributes of the Badaga Community such as primitive traits, a distinctive culture, shyness of contact with the public at large, geographical isolation and social and economic backwardness to declare them as a Scheduled Tribe (copies enclosed). In the Census of 1931, the Badagas were classified as a Tribe.



The Badagas of Nilgiris District made a representation to me recently to take up the issue again with the Government of India. The evidence produced by the Badagas reveals that they have been living in the Nilgiris hills for several centuries along with other Tribes, such as Todas. The Badagas are an ethnic and Linguistic Minority Tribal Group with a distinct culture and heritage of their own. Their oral literature, belief and faith reveal their attachment to Nakkubetta and Nilgiris through DEWA and HETHE HABBAS, which are animistic in nature.

The criterion of Primitive Tribe, one of the characteristics indicated for Scheduled Tribes, can no longer be applicable to many of the Scheduled Tribes in the country due to their upliftment through various developmental programmes of the Government since Independence, whereas it is very much relevant and applicable in the case of the Badagas of Nilgiris. In view of the above, it is clear that the broad characteristics indicated for classification of a community as a Scheduled Tribe have been satisfied, thus making them eligible for qualification as a Scheduled Tribe.

I request that immediate action may kindly be taken to consider the request of the “Badaga” Community to include them in the list of Scheduled Tribes, at the earliest.

★ ★ ★



**Requesting Modification of the Dam
Safety Bill, 2010**



D.O. letter dated 29.07.2011

I am constrained to bring to your kind notice certain provisions of the Dam Safety Bill, 2010, currently referred to the Parliamentary Standing Committee on Water Resources, which are detrimental to the interest of Tamil Nadu.

Sub-clause 26(1) of the Bill states that without prejudice to the provisions of this Act, all specified dams shall fall under the jurisdiction of the State Dam Safety Organisation or State Dam Safety Cell, as the case may be, of the State in which the dam is situated in matters related to dam inspections, analysis of information, reports or recommendations regarding safety status and remedial measures to be undertaken to improve dam safety; and in all such matters full co-operation shall be extended by the concerned Non-State Dam Safety Organisation or the

Non-State Dam Safety Cell and the owner of the specified dam.

The wording in the clause viz: “the State in which the dam is situated” makes it explicitly clear that any specified dam will fall under the jurisdiction of the Dam Safety Organization (SDSO) or the State Dam Safety Cell of the State in whose territory the dam is situated.

I wish to point out that these provisions will directly interfere with the safety and functioning of the Dams owned, operated and maintained by a State Government, in a situation wherein the same dams are located in the territory of another State.

Four Dams namely, Mullai Periyar Dam, Parambikulam Dam, Thunakadavu Dam and Peruvaripallam Dam are owned, operated and maintained by Tamil Nadu, whereas these Dams are situated in the territory of Kerala State.

In the event of the Dam Safety Bill, 2010, being passed in Parliament it will be detrimental to the interests of Tamil Nadu, since the control of these four Dams will automatically go to Kerala State in whose territory these Dams are situated though they are owned by Tamil Nadu State. This will create a number of practical problems for



the safety, operation and maintenance of the Dams.


In view of the above problems, the following modifications and additions are suggested for incorporation in the Dam Safety Bill, 2010.

Sub-Clause 26(1) should be revised as :

“without prejudice to the provisions of this Act, all specified dams shall fall under the jurisdiction of the State Dam Safety Organisation or State Dam Safety Cell, as the case may be, of the State owning the dam and under whose control the dam is operated and maintained in matters related to dam inspections, analysis of information, reports or recommendations regarding safety, status, and remedial measures to be undertaken to improve dam safety”.

Similarly Sub-Clause 26(2) should be revised as :

“The authorized representative of the Central Dam Safety Organization, concerned State Dam Safety Organization or State Dam Safety Cell as the case may be, in respect of dams referred to in sub-clause (1) above, for the purposes of making any inspection or investigation necessary for the implementation of the provisions of this Act, may enter upon any part of the specified dam or its site as and when required and



apply such investigation methods as may be considered necessary”.

Similar modifications will have to be made in sub clause 26(3) and sub-clause 26(4) and Clause 13.

A new Sub-clause 26(6) is suggested to be added to the Bill to ensure proper maintenance of Dams without interference as follows:

“Notwithstanding anything contained in any other law, the Dam maintenance officials / personnel shall have the right to enter into the Forests and Wild Life sanctuary area to carry out dam safety, maintenance and rehabilitation measures”.

I therefore, request you to kindly give directions to the concerned Ministry to carry out the above said modifications / additions in the Dam Safety Bill, 2010, so that the interests of Tamil Nadu State are protected.

★ ★ ★



**Objection to Proposed All India
Common Medical Entrance Test**




D.O. letter dated 30.07.2011

It has been brought to my notice that the Government of India has decided to introduce a National Eligibility cum Entrance Examination for admission to Undergraduate and Post Graduate Medical Courses. The Government of Tamil Nadu has taken steps since 2005 and finally abolished the Entrance Examination for the Professional Courses from the year 2007–2008.

This was done after detailed examination by an Expert Committee which found that rural students and students from lower socio economic backgrounds are unable to compete with the urban elite students in such Common Entrance Examinations as they lack the requisite training institutions and materials.

The rural poor students cannot afford the fees charged by the coaching centres, which impart training to face such




competitive examinations. This will be particularly true in the case of a national level examination as the students who pass the 12th Standard based on our State syllabi will not face a level playing field as the topics covered for the entrance exam are likely to be different, leading to the need for separate training classes.

A large number of socially and economically backward meritorious rural students have benefited because of the decision to abolish the Common Entrance Examination for professional courses. Tamil Nadu has also been able to manage its medical manpower requirement in the rural areas due to the large number of rural students who get admission to undergraduate courses in government medical colleges due to our existing admission policy.


As part of its policy of upholding social justice, Tamil Nadu has been following 69% reservation for Backward and Most Backward Communities and Scheduled Castes and Tribes in professional courses. The introduction of a Common Entrance Test would create confusion and litigation in the smooth implementation of this reservation policy both in undergraduate and postgraduate admissions.

Further, the Government of Tamil Nadu has reserved 50% of its medical Post Graduate seats for doctors who



have completed three years of rural service with special weightage for those working in hilly and tribal areas. The Government has also successfully obtained and enforced bonds from those completing post graduate education in Government Medical Colleges to serve the State for a minimum period, which has helped to meet the need for specialist medical manpower. It will be legally difficult to implement these policy initiatives if a Common Entrance Test is introduced as we would have to fall in line with the regulations of the national test, which may not have such enabling provisions.

We had earlier been assured by the Hon'ble Minister for Health and Welfare that the States would be consulted and our views considered before evolving any policy decision with regard to the conduct of an All India Common Entrance Test. The Government of Tamil Nadu had also given its views as above, specifically stating that the All India Common Entrance Test will interfere with the rights of the State Government in administering the education system and would create problems in implementing the reservation policy followed uniquely in our State. However, it is now learnt that the Government of India has gone ahead with the decision to implement the common entrance test.



The Government of Tamil Nadu strongly protests the move to conduct an All India Common Entrance Test for admission to Under Graduate / Post Graduate Courses in the Medical Colleges as proposed by the Government of India. In view of all the facts pointed out, I request that Tamil Nadu may be exempted from the test and allowed to continue with its existing system for admission to undergraduate and postgraduate medical seats.

★ ★ ★





**‘Initiate Consultative Process to
Arrive at Broad Consensus on GST’**




D.O. letter dated 18.08.2011

As you are aware, the Constitution (115th Amendment) Bill, 2011 has been introduced in the Lok Sabha in the Budget Session. The Bill has been referred to the Parliamentary Standing Committee on Finance, whose Chairman has addressed the States for their views in this regard. While the views of the Government of Tamil Nadu are being communicated separately to the Parliamentary Standing Committee, I wish to convey, through this letter, the strong reservations of my Government with regard to the manner in which the Government of India is endeavouring to bulldoze through this piece of Legislation which encroaches upon the powers vested with the States by the Constitution of India.


It is universal knowledge that the State Governments, being closer to the people, have greater responsibilities in terms of providing basic services and implementing



developmental schemes. In our constitutional scheme, the States' resources are limited. Sales Tax is the only major buoyant source of revenue on which the States depend. Therefore, any tax reform measure driven by the Government of India should neither reduce the revenue flow from this source nor should it adversely affect the fiscal autonomy of the States. Even if some losses are compensated by the Centre for some time, the reforms must not make a permanent dent in our resources.


Our main concern with the GST is that, in the name of harmonization, the State's already limited authority to levy taxes should not be snatched away. Further, constitutional mechanisms like the GST Council and the GST Dispute Settlement Authority impinge on the legislative sovereignty of both the Parliament and the State Legislatures. We also strongly believe that harmonization will not be achieved merely by adopting a common rate for all the commodities across the country when the States are having diverse resource bases and requirements. Therefore, the implementation of GST with two rates initially and converging into a single rate later is not workable. In States like Tamil Nadu, where the tax neutral rate is as high as 17%, this will lead to a huge loss i.e., more than Rs.5000 crores loss per annum. Any proposal of GST structure will have to address these concerns.

A broad consensus on the framework of GST tax structure, procedure, etc. should first be arrived at through



a proper consultative process. At this juncture, the States are not clear about very critical issues including the tax structure, methodology of Integrated Goods & Services Tax, powers of the State in altering tax rates, in levying cess, giving exemptions to certain commodities of local importance, and the compensation mechanism. When there is no clarity on such critical matters, pressing for the enactment of the Bill will not yield any results, and is bound to be counter productive. Approval of this Amendment Bill by any of the States will amount to entering into an unknown territory fraught with risk and uncertainty. Therefore, I am of the opinion that before the Government of India pushes through this Bill in the Parliament, it is necessary that the consultative process among all States and the Centre is taken forward to come to a broad understanding on the framework of the GST. As Shri Sushil Kumar Modi has taken over as the Chairman of the Empowered Committee of State Finance Ministers now, we should pursue this matter further in the Empowered Committee and reach an understanding on key issues.

A'propos the contents of the Constitution (One Hundred and Fifteenth Amendment) Bill, 2011, we have some concerns on the way the GST Council and the GST Dispute Settlement Authority are being contemplated.




Though the proposed Article 279-A contemplates setting up of the GST Council as an advisory authority which will take decisions through consensus, the GST Dispute Settlement Authority proposed under Article 279-B will have an overriding authority on the States, as its decisions are binding on the States. This means the States virtually lose their authority to fix tax rates, which is unconstitutional and not acceptable in a federal set up. The Council and the Authority also impinge on the Parliament's authority.

The Bill suggests that the Entertainment Tax collected by local bodies alone will be excluded from GST. But in some States, including Tamil Nadu, for administrative reasons, Entertainment Tax (the proceeds of which are meant primarily for local bodies) is collected by the State Government. In the Amendment Bill, it is proposed to subsume Entertainment Tax not directly collected by the local bodies.

The Bill proposes to keep Tobacco and Tobacco products as a specific entry '84' in List I of the Seventh Schedule enabling the Union Government to levy Excise duty over and above GST, while the States have not been vested with this power.

Other issues like a time frame for convergence of the tax rates for essential goods and luxury goods, adoption



of a uniform threshold for levying of SGST and CGST, usage of the State tax machinery for collection of CGST up to a threshold level, formation of an autonomous body for computation and disbursal of compensation, guarantee for abiding by a pre-agreed compensation framework, evolution of a workable IGST model, institutional and infrastructural preparedness across the States, etc. are not covered by the Amendment Bill. However, there is no point in proceeding with the enactment of the Amendment without addressing them completely and taking the States into confidence.

Any tax reforms should have an objective of improving economic efficiency, encouraging economic activity and benefiting the common man and should be put in place giving due regard to the constitutional scheme of distribution of powers and fiscal autonomy of the States. In a federal set up, implementation of a comprehensive tax reform like GST hinges on constructive collaboration and co-operation between the Union and the State Governments and needs to be based on a spirit of mutual confidence and respect. The manner in which the Government of India is undertaking the implementation of GST amounts to interfering with the fiscal autonomy of the States thereby having the potential to jeopardise the federal framework



of distribution of fiscal powers between the States and the Union.

I, therefore, request your personal intervention in this regard to take the States on board by continuing the consultative process to arrive at a broad consensus on the key issues with regard to GST and only thereafter consider the Amendment Bill.

★ ★ ★




**Demand for All Party Delegation on
Koodankulam Project**





D.O. letter dated 19.09.2011

You are aware that the Nuclear Power Plant at Koodankulam is ready to be commissioned very soon. The last few days have been very agonizing for the people of Koodankulam as they are under great apprehension in the wake of the Fukushima disaster and other similar calamities reported in the press. It is only natural that the people living here fear for the safety of their families and for themselves.

While many welfare measures have been taken by my Government for the benefit of fishermen living along the 1076 KM. long coast line of Tamil Nadu, an issue relating to the Government of India project is disturbing the normal life of the people in the Koodankulam area.

The scope and magnitude of this issue is creating a fear psychosis among the people and villages surrounding




Koodankulam. It is surprising to note that till date no responsible Minister or concerned higher authorities from the Government of India have visited the people or even attempted to assuage their misgivings.

It is unfortunate to see that the Centre is abdicating its responsibilities. The Prime Minister should have sent a high level team to allay the fears and misgivings of the people in the Koodankulam area.

It was naturally expected that at least the Union Minister of State for Environment and Forests, Ms. Jayanthi Natarajan, who hails from Tamil Nadu, would have made an attempt to visit these people. Instead, in an interview to the press, she said that the subject comes under the purview of the Atomic Energy Commission and her Ministry has nothing to do with it, thereby abdicating her duties as a Minister and absolving herself of any responsibility. Her remark that the Government officers would take care of the issue is callous to the extreme.

Since the Atomic Energy Commission is directly under your control, on behalf of the people and villages surrounding Koodankulam, I request you to send the concerned competent authorities to hold discussions with the people of Koodankulam, address their fears and convince the people to their satisfaction.



Since nobody from the Government of India has so far deigned to visit Koodankulam, I propose to send an all party delegation led by Thiru O. Panneerselvam, Hon'ble Minister for Finance, Government of Tamil Nadu, along with representatives of the people to call on you.

I request you to kindly issue suitable instructions to the concerned authorities that further work on this project may be halted, until this issue is settled.

I request you to kindly bestow your personal attention on this serious issue and also to indicate your convenience to meet the delegation.

★ ★ ★





Central Intervention Sought in Sri Lankan Attack



D.O. letter dated 10.10.2011

I would like to bring to your attention, various incidents of attacks and harassment of fishermen of Tamil Nadu by the Sri Lankan Navy and Sri Lankan miscreants while fishing in the Palk Bay area, which is a matter of great concern to the Government of Tamil Nadu. As you are aware, the fishermen of Tamil Nadu have, from time immemorial, been fishing in the Palk Bay area in order to earn their livelihood. This Government accords the highest priority to protecting the fishing rights of its fishermen and ensuring their safety.


I wish to inform you with deep anguish that since this Government took charge in May, 2011, there have been as many as 16 incidents of attacks / harassment

and apprehension of Tamil Nadu fishermen by the Sri Lankan Authorities. Four fishermen of Rameswaram were apprehended on 7.6.2011 by the Sri Lankan Authorities and they were released on 17.6.2011 only after the matter was brought by me to your kind notice through my D.O.Letter. Subsequently, again on 20.6.2011, 23 fishermen fishing in 5 boats were apprehended by the Sri Lankan Authorities. Again, I had to bring this to your kind attention through my letter dated 21.6.2011 in order to seek their release.

There is a uniform pattern of either the personnel of the Sri Lankan Navy harassing / attacking the fishermen of Tamil Nadu fishing in the Palk Bay area or miscreants from Sri Lanka committing such acts. A number of Indian fishermen have been injured in such attacks and there have been a number of instances of theft of their fish catch, damage to their fishing nets and snatching away of the personal belongings of the fishermen.

The Indian fishermen, especially belonging to Nagapattinam and Ramanathapuram Districts of Tamil Nadu, venture out to sea for fishing only with the constant fear of being attacked by the Sri Lankan Navy / Miscreants.


The Foreign Secretary, Government of India, Shri Ranjan Mathai called on me at Chennai on 8.10.2011.



I brought the various incidents of attacks and harassment to his notice and requested him to take up the above issues with the Government of Sri Lanka who, on the one hand were participating in various Indo-Sri Lankan Meetings in order to resolve the fishermen's problems and on the other were resorting to violence against our fishermen.



However, it is distressing to note that on the same day, i.e., on the evening of 8.10.2011, even before the Foreign Secretary reached Colombo, the Sri Lankan Navy again chased away our fishermen in the sea by firing in the air, off Mandapam coast of Ramanathapuram District and this incident has been widely reported in the print and electronic media.

I request your kind intervention in this issue of grave concern and request the Government of India to convey its serious objection to the Sri Lankan Government with regard to the continuous incidents of harassment and attacks on the fishermen of Tamil Nadu who seek to eke out their living peacefully in their traditional areas of fishing in the Palk Bay area. I would also like to emphasize that the harassment of the fishermen of Tamil Nadu should be viewed as an act of provocation and aggression against India by Sri Lanka, similar to acts of firing across the




borders of India by neighbours such as Pakistan and China. The attack on the fishermen belonging to Tamil Nadu should be viewed as a national issue and not as an isolated problem of Tamil Nadu alone.

★ ★ ★


**‘Publish the Final Order
of Cauvery Water Disputes Tribunal
in the Gazette of India’**

D.O. letter dated 17.10.2011

As you are aware, the river Cauvery which is the life line of Tamil Nadu, feeds more than 80% of canal irrigation in Tamil Nadu. The quality of life and the food security of the State of Tamil Nadu depend on the timely release of Cauvery water for irrigation. The Government of Karnataka, which is the upper riparian State, is duty bound to ensure the stipulated monthly flows during the irrigation season every year and failure to do so adversely affects the agriculture and consequently the economy of the State.


The dispute over the sharing of waters of the river Cauvery arose in the 1960s, when Karnataka started to execute irrigation projects without the concurrence of the Government of Tamil Nadu. The Government of India,



on the directions of the Supreme Court, constituted the Cauvery Water Disputes Tribunal in 1990 and forwarded the complaint of the Government of Tamil Nadu to the Cauvery Water Disputes Tribunal for adjudication. The Cauvery Water Disputes Tribunal gave its Interim Order on 25.6.1991 which was gazetted by the Government of India on 10.12.1991 based on the opinion rendered by the Supreme Court on 22.11.1991 in Special Reference No.1 of 1991, even though a Section 5(3) Petition seeking explanation or guidance from the Tribunal as well as the Suit and Special Leave-Petitions of the Government of Karnataka were pending before the Supreme Court.

The Cauvery Water Disputes Tribunal under section 5(2) of the Inter-State River Water Disputes Act, 1956, has given its Final Order on 5.2.2007 allocating the waters of the river Cauvery among the States of Karnataka, Kerala, Tamil Nadu and the Union Territory of Puducherry for their beneficial use.

The Governments of Karnataka and Kerala have challenged the Final Order in the Supreme Court and Tamil Nadu has gone on appeal to the Supreme Court on certain aspects of the Final Order of the Tribunal. Later on, the Government of India also impleaded itself in the appeals pending in the Supreme Court. Further, the Governments




of Karnataka, Kerala, Tamil Nadu, Union Territory of Puducherry and the Government of India have also filed applications under section 5(3) of the Act of 1956 seeking explanation or guidance from the Tribunal and they are all pending since May, 2007.

The Government of Karnataka has consistently taken the stand that, after the Final Order of the Cauvery Water Disputes Tribunal, there is no enforceable governing regime, since the Interim Order has ceased to exist after final adjudication and though the Final Order has not been gazetted, the purported Final Order dated 5.2.2007 should be considered as protem governing regime on all matters including distress sharing and irrigated areas in Karnataka. The Government of Karnataka has also further stated that this suggestion of Karnataka should not be understood as acceptance of the correctness of the Final Order of the Cauvery Water Disputes Tribunal.

In these circumstances, it is incumbent on the Government of India to notify the Final Order of the Tribunal in the Gazette of India for it to become effective and binding on the parties to the dispute and a mechanism for the implementation of the Final Order to be established.

You may recall the Memorandum I had presented to you in person on 14.6.2011 requesting you to instruct the



Ministry of Water Resources to publish the Final Order of the Cauvery Water Disputes Tribunal in the Gazette of India and place in position the Cauvery Management Board.

I am of the considered view that notwithstanding the pendency of the Civil Appeals and Reference Petitions and without prejudice to the outcome of these Petitions in the Supreme Court and the Tribunal, the Final Order of the Cauvery Water Disputes Tribunal dated 5.2.2007 should be published in the Gazette of India as required under section 6(1) of the Inter-State River Water Disputes Act, 1956.

May I, therefore, request you to kindly issue instructions to the Ministry of Water Resources to publish the Final Order of the Cauvery Water Disputes Tribunal dated 5.2.2007 in the Gazette of India and place the Cauvery Management Board in position immediately?

I will be grateful for early action in this regard.

★ ★ ★





**‘View Sri Lankan Attacks
on Tamil Nadu Fishermen
as a National Issue’**





D.O. letter dated 07.11.2011

I am writing this letter with a deep sense of concern about the safety and well being of the fishermen of Tamil Nadu, who are now being attacked almost on a daily basis by the Sri Lankan Navy / miscreants, while they pursue their traditional occupation of fishing in the Palk Bay area. I have already brought to your attention on 10.10.2011 my deep anguish over the fact that, since this Government took charge in May, 2011, there have been a large number of incidents of attacks / harassment and apprehension of Tamil Nadu fishermen by the Sri Lankan Authorities. I had also personally apprised the Foreign Secretary, Government of India, Shri Ranjan Mathai on 8.10.2011 at Chennai about the continuous incidents of attacks on and harassment of Tamil Nadu fishermen by the Sri Lankan Navy / miscreants.




In your letter dated 3.11.2011, you have been kind enough to inform me that you had expressed your deep concern over the incidents of attacks on the Indian (Tamil Nadu) fishermen to the President of Sri Lanka during your meeting with him at New York in September, 2011. You had also mentioned that the Sri Lankan side had ‘promised to seriously investigate these incidents’. While thanking you for also reiterating that the welfare, safety and security of our fishermen have always received the highest priority of the Government, I am constrained to point out that all the concerns of the Government of India and the Government of Tamil Nadu in this regard have only fallen on deaf ears where the Sri Lankan Authorities are concerned. So far, since May, 2011, there have been over 22 incidents of attacks / harassments and apprehension of Tamil Nadu fishermen by the Sri Lankan Authorities. The irony is that even after my letter to you on 10.10.2011, there have been at least 6 more major incidents in which the Tamil Nadu fishermen have been blatantly attacked, harassed and injured.



On 4.11.2011, there was an incident in which naval personnel in a Sri Lankan Naval ship came near a mechanized boat off the coast of Kodiakarai of Nagapattinam District, cut the ropes of the nets of the fishermen and threw stones at the boat, in which one fisherman sustained severe head injuries. Likewise on 5.11.2011, Sri Lankan Navy personnel attacked a mechanized fishing boat off Rameswaram base near Katchatheevu and the boat driver sustained serious injuries and had to be admitted in a hospital.



May I also point out that there seems to be a definite pattern of attacks by the Sri Lankan Navy / miscreants to create a fear psychosis amongst the innocent Tamil Nadu fishermen with a view to forcing them to desist from eking out their livelihood in their traditional areas of fishing in the Palk Bay area? There is a deep feeling of unrest and concern among the fishermen community in particular and the entire State in general due to such incidents that have not stopped despite our repeated appeals to the Government of India and the diplomatic efforts of the Government of India.

I request you to kindly take a strong stand against the Government of Sri Lanka with regard to such attacks





on our fishermen and convey your serious apprehension through tough words and action, since as already stated by me on 10.10.2011, the attacks should be viewed as a National issue and not as an isolated problem of Tamil Nadu alone.

★ ★ ★


**Centre should Assert to
Contain Rogue Elements
in Sri Lankan Navy**

D.O. letter dated 16.11.2011

Kindly refer to my letters dated 7.6.2011, 21.6.2011, 10.10.2011 and 7.11.2011, in which I have brought to your attention various incidents of apprehension, as well as attacks on and harassment of the fishermen of Tamil Nadu by the Sri Lankan Navy, which has caused great unrest amongst the people of Tamil Nadu. I had also requested you to treat the attacks on fishermen as a National issue since such attacks should be construed as attacks on India.


I further wish to inform you with a deep sense of agony that, despite my letters to you and despite your taking up the issue with the Government of Sri Lanka and their stated assurances in this regard, the attacks on our fishermen continue unabated and the situation is worsening day by day.



In the latest incident which occurred on 15.11.2011, a fisherman of Rameswaram was seriously injured when Indian fishing boats were attacked, allegedly by the Sri Lankan Navy personnel, near the International Maritime Boundary Line (IMBL) off Kachatheevu. It has been reported that as many as 15 Sri Lankan Navy men came in a high-speed patrolling vessel and pelted stones on the Tamil Nadu fishermen, which resulted in a severe head injury to one fisherman, Mr. Selvaraj. He started bleeding profusely and was brought ashore with the help of his fellow fishermen and thereafter admitted to hospital for treatment.

The above incident has been flashed widely in the media, creating a lot of unrest among the fishermen of Rameswaram who venture into the sea braving all odds to eke out their livelihood in the sea. The continued occurrences of such incidents of attack has also created a feeling of insecurity among the fishermen community and despair over the apparent inaction of the Government of India to prevent such attacks despite our repeated requests.

I have already shared my apprehension of the double standards adopted by the Government of Sri Lanka, which, while issuing statements on the need for treating





the straying fishermen on a humanitarian basis, continues to be silent on the attacks launched by its own Navy.



I strongly feel that the Government of India should assert itself with the Sri Lankan Government to control the rogue elements in the Sri Lankan Navy who continue to indulge in acts of physical assault on our innocent fishermen who, for several generations, are engaged in fishing solely for their livelihood in the Palk Bay area.

I solicit your urgent action in this regard.

★ ★ ★





**Requesting the Centre to Advise
the Government of Kerala on
Mullai Periyar Dam Issue**

D.O. letter dated 23.11.2011


It has been reported in the media that the Hon'ble Chief Minister of Kerala Thiru. Oomen Chandy met the Hon'ble Prime Minister and represented that the construction of a new dam in the place of the existing Mullai Periyar Dam will be the only solution to safeguard the people of Kerala. The Government of Kerala has been harping on this point for quite sometime, in spite of the fact that the existing dam has been proved to be safe and can store water up to 142 ft. as decided by the Supreme Court as early as in 2006. The Government of Kerala seems to be intent on whipping up a fear psychosis and panic among the people of Kerala and to influence the Empowered Committee, appointed by the Supreme Court of India, by submitting a report based on fear perception rather than facts.



The Hon'ble Supreme Court in its order dated 27.2.2006 had pronounced that initially the water level in the strengthened Mullai Periyar Dam can be raised to 142 ft. The Apex Court in unambiguous terms had concluded that the dam is safe and the Government of Tamil Nadu had already taken safety measures to keep the dam in as good condition as a new dam.

As early as in 1979 when the Government of Kerala raised the issue about the safety of the Dam, the Chairman, Central Water Commission, who inspected the Dam concluded that there was no danger to the dam and suggested certain strengthening measures, which were carried out by the Government of Tamil Nadu from 1980-1994, with the concurrence of the Government of Kerala. After taking all these measures the dam is safe and its functioning is as good as that of a new dam.

The Government of Tamil Nadu reiterates its view that the existing dam, after it has been retrofitted through strengthening measures is functioning in as good a manner as a new dam.




The Government of Tamil Nadu is also concerned about the safety of all the inhabitants downstream of the Mullai Periyar Dam and is doing and will do all that is necessary to ensure that the dam remains safe.

The Government of Tamil Nadu is of the firm view that the retrofitted Mullai Periyar Dam falling in Zone – III has been designed to withstand an earthquake as per IS Code. The reported tremor which occurred on 18.11.2011 did not have even an iota of impact on the dam. In fact, the tremor was not even felt in the vicinity of the dam.

The Empowered Committee, constituted as per the orders of the Hon'ble Supreme Court, has conducted and is still conducting various tests / studies on the dam and there have been no adverse remark.

In the circumstances mentioned above, I request you to kindly use your good offices and advise the Government of Kerala to:-

(i) honour the rights guaranteed to the Government of Tamil Nadu under the 1886 Agreement followed by the Supplemental Agreements of 1970 in letter and spirit;



(ii) abide by the order of the Hon'ble Supreme Court dated 27.2.2006 and consequently repeal the amended Act of 2006; and

(iii) advise the Government of Kerala not to venture upon a new dam as the present dam is functioning well and also since the whole issue is sub-judice before the Hon'ble Supreme Court and the Empowered Committee; not to whip up fear and panic among the people to gain political mileage.

★ ★ ★





**Indian Coast Guard's
Outrageous Stand on Tamil Nadu
Fishermen**




D.O. letter dated 26.11.2011



I wish to bring to your notice that, in a Public Interest Litigation under W.P.No.4190/2011 filed before the Madurai Bench of the Madras High Court for directing the Indian Coast Guard to give protection to the Indian (Tamil Nadu) fishermen who conduct fishing for their livelihood in the Palk Bay waters, the Indian Coast Guard in its Counter Affidavit filed before the Court, has contended that Tamil Nadu fishermen cross the IMBL, conduct fishing in Sri Lankan waters by poaching and are using nets banned in that country. It has also been suggested by the Indian Coast Guard in their Counter Affidavit that Tamil Nadu should proclaim a 'No Fishing Zone' within 5 Nautical Miles (NM) distance from the Indo-Sri Lankan International Maritime Boundary Line (IMBL) and impose strict punitive measures against the defaulters.





While expressing my total disagreement with this illogical, preposterous and absolutely outrageous stand taken by the Indian Coast Guard before a Court of Law, I wish to remind you of the stand of my Government on this issue as elucidated in the Memorandum handed over to you by me in New Delhi on 14-6-2011.

To recapitulate, from time immemorial, the fishermen of Tamil Nadu have been traditionally fishing in the waters of the Palk Bay without any geographical or political boundaries. I understand that the issue of allowing fishing in each other's waters on a mutually agreed basis is being discussed by the Joint Working Group (JWG) involving Indian and Sri Lankan Authorities. That being the case, it is really surprising that the Indian Coast Guard has taken such a blatantly condemnable stand. If this stand is implemented, it will mean that the Tamil Nadu fishermen have to stop fishing and starve, which I am sure, is not the intention of the Government of India. I, therefore, request you to instruct the concerned authorities to rectify this stand before the concerned Court of Law at the earliest before any irredeemable damage is done.

★ ★ ★

**‘Advise Kerala
not to Participate in the Matters
of Mullai Periyar Dam Issue’**





D.O. letter dated 29.11.2011

I am constrained to write this letter in continuation of my letter dated 23.11.2011 regarding Kerala’s approach to the Mullai Periyar Dam issue.

It has been reported in the media that the Government of Kerala continues its shrill pitch and maintains that the Mullai Periyar Dam is not safe and that the only solution would be to construct a new dam in spite of the pending Suit in the Supreme Court.

Reports of vandalism against Tamil Nadu State transport buses, apart from mischievous and vicious provocation across the State border being indiscriminately indulged in, have come to my notice. While a lot of restraint from our side is being exercised, it would be prudent to advise the Government of Kerala to ensure that miscreants



refrain from disturbing the public order and disrupting normal life.

I once again reiterate that the retrofitted Mullai Periyar Dam is safe and is functioning as good as new. I am of the view that the Government of Kerala should be advised to desist from this approach for building a new dam and not to escalate the issue, when the matter is sub-judice before the Supreme Court and the Empowered Committee.

In the circumstances, as already requested in my earlier letter dated 23.11.2011, may I once again request you to advise the Government of Kerala not to precipitate matters in the interests of both the States?

I look forward to your immediate response in this matter.

★ ★ ★




**Expressing Grave Concern on
the Security Threat to Mullai
Periyar Dam**



D.O. letter dated 04.12.2011

I would like to bring to your notice the grave concern of my Government about the security threat to the Mullai Periyar Dam.

There have been reports of mob vandalism organised by certain political parties of Kerala at the Dam site. A mob of 200 people damaged the gate at the Tamil Nadu Electricity Board facility at the dam yesterday (3.12.2011) and today (4.12.2011) certain lumpen elements marched towards the dam from Vallakadavu (Kerala) with a JCB and some implements, with the intention of letting out water and wanting to damage the Mullai Periyar Dam. As I have pointed out earlier, the orchestrated campaign of fear mongering carried on by the Kerala Government has led to this situation wherein the very security and safety of the Dam is being deliberately threatened.



It would be pertinent to point out that dams much older than Mullai Periyar Dam are functional. In Tamil Nadu itself we have the Kallanai built by Karikaala Cholan in the 2nd century A.D., which is more than 1900 years old and is still functioning without any problem. The secret of the longevity of Kallanai is regular maintenance. People in the Delta area of Tamil Nadu are not living in any fear of the dam bursting or collapsing. Similarly, the Andhra Pradesh Irrigation Department maintains the Godavari anicut and Krishna barrage which dates between 1845 and 1855. May I also bring to your notice that the materials Major Pennycuick used to construct the Mullai Periyar Dam are the same that Karikaala Cholan used for the Kallanai 1900 years ago : stone and surki ?

The Advocate General, Kerala, has gone on record before the Division Bench of the Kerala High Court submitting that even in the case of any eventuality, the Idukky Reservoir, the Kulamavu and Cheruthoni Dams will take the waters. The State Government of Kerala on its own admission recognises that all safety measures are in place.



The current situation of fear and panic mongering by the Kerala Government is beyond comprehension, and





requires mature and informed decisions and wise handling at the level of the Prime Minister.

In view of the violent activities reported at the Dam site, it is imperative that Central forces be deployed at the Dam immediately. I, therefore, request you to order the deployment of the Central Industrial Security Force (CISF) at the Dam site to avert any man made catastrophic consequences immediately.

★ ★ ★

**‘Intervene in Matters of
Grave Concern to the Government
of Tamil Nadu and its People’**


D.O. letter dated 07.12.2011

I seek your kind intervention on matters of great concern to the Government and the people of Tamil Nadu State.

1. Restoration of Kerosene to April - 2011 levels:

The allocation of kerosene in the Public Distribution System was drastically reduced from June, 2011 onwards. The earlier allocation of 52,806 KL per month was reduced to 44,580 KL per month from June, 2011. This was after the AIADMK Government under my leadership took charge in May, 2011.

Consequently, the people of Tamil Nadu have been put to great hardship. There has been no prior notice to the State Government and no discussions were held in this




regard. May I request you to kindly ensure that the Public Distribution System allotment of kerosene is completely reverted to levels that obtained in April, 2011? I also request a 5% enhancement from the April 2011 levels.

2. Restoration of Central Pool Power Allocation:

The supply from the Central Generating Stations to Tamil Nadu has come down by 700 MW since March 2011 and still continues even after the AIADMK Government took charge in May, 2011. I request you to kindly look into this issue and direct the Central Generating Stations to keep up their power supply commitment to Tamil Nadu. Further, my earlier request for additional allocation of 1000 MW from the Central Pool due to the unexpected delay in commissioning of the new power projects under the Central Sector to tide over the present acute power crisis in the State may be considered on priority basis.

3. Special Financial Assistance:





My Government has inherited a very fragile financial system, precariously poised on the brink of deterioration with very unsustainable deficits and enormous debts - the result of irresponsible and inept administration of the State finances by the predecessor DMK Government. As you are aware, we have been taking the requisite steps with grit



and resolve to emerge from this slide by adopting daring measures such as increase of VAT rates, State excise duty, bus fares, increase of milk prices, etc.

The process of development which is languishing has to be galvanized. The revenue buoyancy in the State is also in need of a renaissance. I request you to kindly sanction an additional financial assistance of Rs.25,000 crores for development projects for Tamil Nadu partly as grant and partly as loan. May I emphasize that judicious use of this package by my Government in various projects will accelerate national growth? The financial summary of Tamil Nadu is enclosed. With best wishes in anticipation of a favourable reply.


★ ★ ★



**Allaying Fears on the Koodankulam
Nuclear Power Project**



D.O. letter dated 17.12.2011

I was amazed to see in the media that at a Joint Press Conference with the Russian President you had announced that the Koodankulam Nuclear Power Project will be “operationalised in a couple of weeks”.

May I recapitulate that following our Cabinet Resolution that further works are to be halted until the fears of the local people are allayed and after the presentation of a Memorandum to you by a Delegation led by the Finance Minister of Tamil Nadu, the Government of India constituted an Expert Committee to interact with the nominees of the local people to explain the position of the safety aspects?



The State Government is facilitating the interaction through local officials. The satisfaction of the people of the area is of paramount importance to my Government and the State of Tamil Nadu.

May I add that it is imperative that necessary measures to allay the fears of the people are undertaken before any precipitate action is embarked upon?

★ ★ ★




**‘Exempt Tamil Nadu
from the Purview of the
Food Security Bill’**





D.O. letter dated 20.12.2011

The Union Government has sent the Draft National Food Security Bill, 2011, and has invited the views of the State on the same. Now, I have come to know that the proposed Bill has already been approved by the Cabinet and is likely to be introduced in Parliament shortly. I have gone through the provisions of the Bill which contemplates securing food security through Targeted Public Distribution System (TPDS) and nutritional support to vulnerable sections of the public like pregnant women, lactating mothers and children from 6 months to 14 years of age. The Bill also aims to address the issues of malnutrition, starvation or condition akin to starvation. Under the Targeted Public Distribution System, the Bill advocates the provision of food entitlement at 7 kg. per

person per month and 3 kg. per person per month to persons belonging to Priority House Holds (PHH) and General House Holds (GHH) respectively at different subsidized rates.

As you are aware, my Government has been successfully implementing the Universal Public Distribution System for the last several years. Through this Universal Public Distribution System, the Government has been able to address the issue of food security for all without exception. In addition, my Government has ordered the supply of rice free of cost to all under the Universal Public Distribution System. This has been well received by the public. Apart from rice, wheat and sugar, special PDS commodities like Toor dhal, Urid dhal, fortified Palmolein and fortified Atta are also supplied to the public at heavily subsidized prices.


Another unique feature of the Universal Public Distribution System in my State is that no private individuals are permitted to run fair price shops. Only the Co-operative Societies and the Tamil Nadu Civil Supplies Corporation, apart from a few Women Self Help Groups, are permitted to run the fair price shops which number 32,977. The annual food subsidy for the State is Rs.5000



crores. There is a strong administrative monitoring, vigilance and grievance redressal mechanism operating in the State in respect of PDS.

In contrast, the proposed Central Bill on food security is replete with confusion and inaccuracy. For instance, the proposed classification of target groups into PHH and GHH for the purpose of delivery of food entitlements will surely invite sharp criticism and furious opposition from everybody concerned. The very basis of such classification is unscientific and unacceptable. Similarly, no reason has been adduced for restricting the coverage under TPDS to 75% of the rural population and 50% of the urban population under the proposed Central Bill.

Like the BPL norms proposed by the Union Planning Commission, the categorization of households and arbitrary restriction of coverage as contained in the Central Bill will lead to controversy and make a mockery of providing food security. The most significant point is that forced implementation of TPDS as contemplated under the Central Bill will entail an additional financial burden of about Rs.1800 crores per annum with no statutory commitment forthcoming from the Government of India.



In view of the foregoing reasons, I would like to register my strong opposition to the Draft National Food Security Bill, 2011. On the contrary, I request the Union Government to not only continue to supply food grains to Tamil Nadu at the existing price and along the same pattern but also to restore the monthly allotment of kerosene. In a federal structure like ours where the States are in close and direct contact with the people, the choice of designing and implementing popular welfare schemes is best left to the States. The Union Government should not attempt or be seen to attempt encroaching into the domains of the States. I therefore, request that Tamil Nadu may be exempted from the purview of the Food Security Bill and my views as expressed above may be taken on record while deciding the matter.”

★ ★ ★




**‘Withdraw Office Memorandum of
the National Disaster Management
Authority’**



D.O. letter dated 20.12.2011


I am shocked to note that the National Disaster Management Authority (NDMA) under your Chairmanship has constituted a Team of Experts on 12.12.2011 to formulate a Contingency Response Plan for the Mullai Periyar Dam and downstream areas with a view to mainly developing the submergence/inundation models for various possible scenarios like earth quakes, floods and or/ combination thereof. This is nothing but succumbing to the subterfuge of the Government of Kerala and to present a *fait accompli* to the Supreme Court of India and the Empowered Committee constituted by it.

As you aware, the Supreme Court of India had already decided in February, 2006 that the Mullai Periyar Dam is safe after looking into the reports of various experts and permitted the Government of Tamil Nadu to raise



the water level to 142 feet initially. The Empowered Committee constituted by the Supreme Court of India had conducted various tests and is in the process of conducting various other tests and it is expected to submit its report to the Supreme Court in February, 2012. That being the case the Government of Kerala, in order to circumvent the legal process, had approached the National Disaster Management Authority to formulate a Contingency Response Plan in case of a disaster which is a figment of imagination. The objective of the Government of Kerala appears to be a calculated attempt to pressure the Empowered Committee to declare the Dam unsafe.

I would also like to bring to your notice that Prof. D.K. Paul, Earthquake Engineering Department, IIT., Roorkee was proposed as a witness by the Government of Kerala in the pending Suit. The Supreme Court of India had not taken cognizance of Kerala's plea to include him as a witness. Now, the NDMA has included him to represent the Earthquake Engineering Department, IIT., Roorkee in the Team of Experts. There is every possibility that his untested views will influence the team of experts of NDMA.



I am of the view that in as much as the matter is pending in the Supreme Court and the Empowered Committee constituted by the Supreme Court is looking into various aspects, including the safety of the dam, the constitution of a Team of Experts by the NDMA to prepare a Contingency Response plan for the Mullai Periyar Dam and downstream areas is not warranted at this stage.

May, I therefore, request you to order the withdrawal of the office Memorandum of the National Disaster Management Authority No 572/ 2011 Mit. dated 12th December, 2011 forthwith?

★ ★ ★




**‘Deploy Central Industrial
Security Force at Mullai Periyar Dam’**



D.O. letter dated 09.02.2012


I invite your attention to Media reports about the Government of Kerala deciding unilaterally to install “real time monitoring system for water build up” in the Mullai Periyar reservoir. According to the Media reports, the Government of Kerala has entered into an agreement with the Ministry of Science & Technology, Government of India, to install “real time monitoring system for water build up” in the Mullai Periyar Dam.

As I had pointed out in my earlier letters, the Government of Kerala is persistently engaged in fear mongering about the safety of the Mullai Periyar Dam even though the Supreme Court had held in 2006 that the dam is safe and water could be stored initially up to 142 ft. Currently, the Empowered Committee constituted by the Supreme Court under the Chairmanship of Justice Dr. A.S. Anand is fully seized of the matter regarding the



safety of the Mullai Periyar Dam and is likely to submit its report to the Supreme Court shortly. The move by the Kerala Government to install real time monitoring devices is yet another attempt to exacerbate fears in Kerala about the safety of the Dam. It is also an attempt to present a “fait accompli” to the Supreme Court when the matter is sub judice.

The Mullai Periyar Dam and its appurtenant structures are owned and maintained by the Government of Tamil Nadu. This unilateral action of the Government of Kerala in ordering real time monitoring of the Mullai Periyar Dam in association with the Government of India, Ministry of Science & Technology, without the consent of Tamil Nadu is a blatant violation of the Principle of Federalism and the Constitutional frame work. May I, therefore, request you to direct the Ministry of Science & Technology, Government of India, to immediately desist from entering into any agreement with the Government of Kerala and to annul any agreement if already entered into ? I also request you to direct the Department of Science & Technology and the Government of Kerala not to proceed further in any activity against the established rights of Tamil Nadu, since Tamil Nadu is the incontrovertible sole owner of the Mullai Periyar Dam and all its appurtenant structures.



I had in my letter dated 4.12.2011 requested you to order the deployment of the Central Industrial Security Force at the dam site. This unilateral action of the Government of Kerala interfering in the management of the Mullai Periyar Dam only strengthens the basis for my earlier request for the deployment of Central forces at the dam site. I, therefore, request you to order the deployment of the Central Industrial Security Force at the dam site forthwith.

★ ★ ★





**Seeking Reconsideration of
the Order of Ministry of
Home Affairs on the NCTC**




D.O. letter dated 17.02.2012

You are well aware of my strong commitment to supporting all measures and efforts taken for strengthening the unity and integrity of India and for upholding its sovereignty. The security of India should not be compromised under any circumstances. With this as the prelude, I would like to draw your attention to a recent office memorandum of the Union Ministry of Home Affairs, Letter No.III-11011/67/05-15.IV, dated 3.2.2012, which speaks about the establishment of a National Counter Terrorism Centre (NCTC) under the Intelligence Bureau from 1st March, 2012.

The office memorandum in this regard speaks about the following: (Para 3.1 & 3.2) The Director, NCTC, shall be specified as the Designated Authority under Section 2(e) of the Unlawful Activities (Prevention) Act, 1967.



The officers of the Operations Division of the NCTC shall have the power to arrest and the power to search under Section 43A of the Unlawful Activities (Prevention) Act, 1967.

(Para 3.3) NCTC shall have the power to set up Inter State Intelligence Support Teams (INSIST).

(Para 3.5) The NCTC shall, for the purposes of discharging its functions under this order, have the power to seek information, including documents, reports, transcripts, cyber information and information of every other kind in whatever form, from any agency furnishing or obliged to furnish such information. The agency furnishing or obliged to furnish the information may do so under such conditions of confidentiality as may be reasonable in the circumstances of the case.


The above provisions of the order smack of a tendency to abrogate power with no attendant responsibility. The power of arrest and seizure that was vested with the Joint Secretary in the Home Ministry, Government of India and the Secretary, Home Department in the State Government is now sought to be transferred to officers of the IB. in the N.C.T.C. This is highly objectionable and can be misused to suit ends that are motivated by reasons other than fighting terrorism. Moreover, setting up of inter-state



intelligence teams by the NCTC is tantamount to usurping the legitimate rights of the States.



Tamil Nadu can pride itself on an excellent track record with regard to counter terrorist measures. You are well aware of the firm stand that my Government has always taken vis-a-vis terrorist organizations. From my experience, I can definitely say that, availability and transmission of advance intelligence, remaining in a state of alertness and modernization of equipment coupled with advanced training are the key elements of any anti-terrorist establishment. Mere setting up of centres to collect and assimilate intelligence alone will not serve the purpose.

The NCTC that is proposed to be set up from 1st March, 2012, suffers from the deficiencies that I have highlighted. I share the concerns of other State Chief Ministers who have expressed reservations against the attitude of certain Ministries in the Government of India acting in a high handed manner without due consultation with the States. Matters of Public Order and Police are in the State list of the Constitution of India and is it unreasonable to expect that when a major initiative such as a National counter terrorism mechanism is sought to be established, the States should be taken into confidence?





May I therefore, request you to re-examine the provisions of the order of the Ministry of Home Affairs on the NCTC in the light of the observations made by me so that a counter terrorism mechanism that is purposeful and duly representative of the role of the States emerges?

★ ★ ★

**‘In-Depth Analysis and Consultation with
all the States Needed on NCTC’**





D.O. letter dated 20.02.2012

In continuation of my letter dated 17.2.2012 on the proposed NCTC, may I emphasise that the disturbing provisions of the recent Office Memorandum of the Union Ministry of Home Affairs need indepth analysis and consultations with all the States?

I reiterate that I share the concerns of the other Chief Ministers who have voiced their reservations and objections in this regard and request that the consultation process should be commenced forthwith.

I urge the Government of India to ensure that the objectionable Memorandum which is scheduled for implementation from 1st March, 2012, is immediately withdrawn in deference to the apprehensions expressed



by the constituent States. I also request you to start the consultation process with the States immediately keeping in view the fact that matters of Public Order and Police are in the State List of the Constitution of India.

★ ★ ★



**‘Consult Government of
Tamil Nadu before Granting Visas
to Sri Lankan Dignitaries’**



D.O. letter dated 07.03.2012

As you are fully aware, the people of Tamil Nadu are greatly exercised over the conduct of the Sri Lankan Government while dealing with Sri Lankan Tamils and their rights. The local perception is that the Sri Lankan Government has completely failed in ensuring the local Tamils’ right to live with dignity, self- respect and equal constitutional status on par with the Sinhalese.

Against this background, there have been instances in the recent past when Sri Lankan VIPs and other dignitaries come on private visits to Tamil Nadu without informing the State Government. During one such visit of Thirukumaran Nadesan, brother-in-law of the Sri Lankan President, to Rameswaram on 9.1.2012 and 10.1.2012, there was an attempt to attack him. As there was no information to this Government either from the Sri Lankan Government or



from the Government of India, no precautionary security measures could be taken.

My attention was also drawn to the letter from the Deputy High Commissioner for Sri Lanka in Southern India addressed to the Chief Secretary to the Government of Tamil Nadu and the letter from the Joint Secretary, Ministry of External Affairs. The tone and tenor of the letter is unwarranted, unacceptable and totally unjustified.

The difficulties faced by this Government owing to the frequent visits of Sri Lankan Officials/Army Officers and VIPs without informing the State Government were already brought to the notice of the Ministries of External and Home Affairs by this Government's letters dated 16.9.2011 and 24.2.2012.

Hence, in view of the prevailing situation, it would be appropriate that the Government of Tamil Nadu is given prior intimation about the visits of Sri Lankan dignitaries and it would also be appreciated if the Government of India discourages such frequent visits to Tamil Nadu and allows such visits only after consulting the Government of Tamil Nadu in future.

★ ★ ★



**Demand for Easing Congestion
in the Power Transmission Corridor**




D.O. letter dated 09.03.2012

You are aware that Tamil Nadu is reeling under an acute power crisis.

Major Power projects to be executed by Central Public Sector Undertakings, namely, M/s BHEL, M/s NLC & M/s NTPC are inordinately delayed. To offset part of the deficit, Tamil Nadu is trying to procure power from various other States. Tamil Nadu has been fairly successful in finalizing contracts for a sizable quantum of power. However, the non-availability of a Transmission Corridor has deprived Tamil Nadu of receiving the contracted power.

To cite some examples, Tamil Nadu has contracted a capacity of 500 MW from Gujarat. Of this, only 203 MW could be transmitted to this State. The 727 MW of Night Power contracted from Dadri Power Station




(Uttar Pradesh) of M/s NTPC was also curtailed. Tamil Nadu has contracted to an extent of 1750 MW of power from outside Tamil Nadu for the month of March, 2012. However, the corridor availability has been released to the extent of 350 MW only by the Central Load Despatching authorities. This has caused indescribable anguish in Tamil Nadu.

The power deficit situation in Tamil Nadu has been aggravated by the prevailing corridor congestion. The problem of corridor congestion has also been represented to the Central authorities several times.

I request you to kindly intervene in the matter and ensure that the required quantum of 1000 MW of power transmission lines is released to enable Tamil Nadu to receive power contracted by the TNEB.

I had, in my Memorandum presented to you on 14.6.2011 in person, requested 1000 MW of additional power for the State for a period of one year only till the central power utilities which supply power to Tamil Nadu commence their production. Of this, only 100 MW was recently allotted. This inaction and non-responsiveness to our repeated requests during this unprecedented power crisis only shows callousness and indifference on the part of the Centre.





The amazing alacrity shown in superimposing fetters on the rights of the States may also be bestowed on concern for the essential needs of the States and attention to fulfilling them.

May I, therefore, once again request you to kindly intervene and ensure that the congestion in the corridor is eased to enable Tamil Nadu to avail of contract power?



I also request you to use your good offices for allotting 1000 MW to Tamil Nadu as earlier requested by me.

Rest assured Sir, of my continued goodwill and co-operation.

★ ★ ★


**‘Restore the Rights of
Indian Fishermen in the Palk Strait’**

D.O. letter dated 17.03.2012

I would like to bring to your kind attention, yet another incident of harassment of Tamil Nadu (Rameswaram) fishermen by Sri Lankan fishermen that occurred on 14.3.2012. Four fishermen of Rameswaram ventured into the sea for fishing in a mechanized fishing boat bearing registration No.TN/10/MFB/604 from Rameswaram fishing base on 14.3.2012 in their traditional fishing areas of the Palk Bay waters. Some Sri Lankan miscreants hurled petrol bombs on their boat. As a result, the boat of the Tamil Nadu fishermen sank in the sea. The four fishermen were rescued by another boat bearing registration No.TN/10/MFB/641, fishing in the nearby vicinity, and brought to shore on 15.3.2012 morning.


In this context, I wish to inform you that the incidents of harassment of Tamil Nadu fishermen continue unabated



despite the assurances given by the Government of Sri Lanka, that Tamil Nadu fishermen will not be harassed. Many a time, Tamil Nadu fishermen who are harassed by Sri Lankan Navy/miscreants, do not even come forward to lodge a complaint, fearing a backlash from the Sri Lankan Navy.

The continued occurrence of the incidents of harassment also proves that the Government of Sri Lanka has not taken serious measures to curb the incidents of violence against Tamil Nadu fishermen. Sri Lankan miscreants watching the Indian (Tamil Nadu) fishermen being blatantly harassed by the Sri Lankan Naval personnel, get emboldened to attack Tamil Nadu fishermen as was done on 14.3.2012. These recurring attacks confirm my earlier statement that the Sri Lankan Government is adopting double standards with regard to fishermen's issues.


I am also deeply pained to point out that the issue of attacks on Tamil Nadu fishermen is not being treated as a National issue. No serious action is initiated whenever such attacks occur. It would not be out of context to further mention that in the recent 4th Joint Working Group Meeting held at Colombo, on 13-14th January 2012, it was reiterated that the highest priority is being accorded




to the well being, safety and security of fishermen by both the countries, and it was agreed that use of force could not be justified under any circumstances. The assurances given remain only on paper and are not being honoured by the Sri Lankan Government. The recent incident of attack proves that all the discussions aimed at ensuring the safety of our fishermen while fishing is an exercise in futility.

I wish to reiterate that the consistent policy of my Government is to restore the fishing rights of the Indian fishermen in their traditional fishing areas in the Palk Bay waters where they have been traditionally fishing from time immemorial. I, therefore, request you to kindly take up the issue with the Sri Lankan Government and its President urgently, and ensure that no such brutal incidents occur in mid-sea again.”






**‘Remove Objectionable
Clauses from the Draft
of Dam Safety Bill’**



D.O. letter dated 17.03.2012

I am writing this letter in continuation of my letter dated 29.7.2011 regarding the legislation on Dam Safety.


I had mentioned in unequivocal terms, the objection of my Government to sub-clauses 26(1), (2), (3) and (4) and clause 13 of the draft Dam Safety Bill, 2010, which would be detrimental to the interests of Tamil Nadu. I am told that the Standing Committee on Water Resources and the Ministry of Water Resources have not considered the objection of my Government to sub-clauses 26(1), (2), (3) and (4) and clause 13 of the draft Dam Safety Bill, 2010. My Government’s apprehensions are genuine and if they are not addressed, it would be tantamount to taking away the control over the maintenance of the dam from the State which owns the dam, consequently affecting hundreds of farmers and agricultural production.



In the circumstances, I once again request you to kindly order the Ministry of Water Resources to delete the objectionable clauses pointed out by the Government of Tamil Nadu from the draft bill, so that the interests of Tamil Nadu are fully protected.

I shall be thankful for your immediate response in this matter.

★ ★ ★




**Demanding Declaration of Ram Sethu
as National Monument**



D.O. letter dated 28.03.2012

You are aware that writ petitions have been filed in the Hon'ble Supreme Court of India regarding the Sethu Samudram Channel Project. Based on the strong opposition to the earlier Alignment 6 cutting across the ancient structure popularly known as Ram Sethu due to its immeasurable historical, archaeological and heritage value, a number of Writ Petitions were filed in the Madras High Court and in the Supreme Court of India.


A writ petition (C) No.15 of 2007 was filed under Article 32 of the Constitution of India by me in the year 2007 praying for (a) a direction in the nature of a Writ of Mandamus directing the third and fourth respondents, namely, the Tuticorin Port Trust and Union of India, Ministry of Culture, to declare Adam's Bridge/Ram Sethu as a National Monument and take over, preserve



and maintain the same and (b) forbear the first and second respondents, namely, the Union of India, Ministry of Shipping/Surface Transport and Sethu Samudram Corporation Limited from in any manner destroying/damaging the said Adam's Bridge / Ram Sethu in the process of execution of the Sethu Samudram Project and to pass further orders as deemed fit by the Supreme Court of India.


I wish to point out that, in the meantime, an Expert Committee under Dr.R.K.Pachauri was appointed by the Government of India in 2008 based on directions from the Supreme Court of India and the summary of the report of this Committee has been forwarded to the State Government for its remarks. I have had the report of the Expert Committee examined by the concerned Departments of my Government and a letter is being sent separately to the Ministry of Shipping communicating the views of the State Government.

It may have been brought to your notice that the case came up for hearing before the Supreme Court of India on 27.03.2012 and the Hon'ble Judges have directed the Additional Solicitor General to obtain the remarks of the Government of India before 29.03.2012 on the declaration of the site as a National Monument.




In view of the strong objection raised to the earlier alignment due to its archaeological, historical and cultural importance, I request you to take necessary action to communicate the views of the Government of India to the Supreme Court that it would take immediate steps for declaring the site as a National Monument without any further delay. The State Government would separately be filing a counter to express its stand in this regard.

★ ★ ★


**‘Allot Entire Power Generated from
Koodankulam to Tamil Nadu’**




D.O. letter dated 31.03.2012

As you are aware, the Koodankulam Nuclear Power Plant comprises two Units of 1000 MW each. The total generation capacity of the two Units is 2000 MW out of which Tamil Nadu has been allocated a share of 925 MW only. In this context, I would like to recall that I had already made a request for allocation of 1000 MW from the Central Pool last year against which a mere 100 MW was made available to Tamil Nadu.

Tamil Nadu is facing a severe power shortage and it would therefore be proper and justifiable that the entire power to be generated from the Koodankulam Nuclear Power Plant is made available to Tamil Nadu. This is also inevitable as the transmission corridor congestion problem still continues and has also been brought to your notice.



I hope that this request will be positively considered by you. May I also reiterate that we require and deserve this power?

Rest assured Sir, of my continued co-operation.

★ ★ ★




‘Stop Formation of NCTC’



D.O. letter dated 02.04.2012

Please recall my earlier letter conveying my strong objections to certain provisions of the Office memorandum issued by the Ministry of Home Affairs regarding the proposed formation and functioning of the National Counter Terrorism Centre and the manner in which the NCTC was sought to be constituted without consulting the State Governments. Many other Chief Ministers have also conveyed similar views in their communications to you.

Consequently, a meeting was convened by the Union Home Secretary with the Chief Secretaries / Home Secretaries and Director Generals of Police of all the States on the 12th March, 2012. In spite of our reservations on the subject, I requested my officers to attend the meeting. At that meeting, several States registered their strong objections and even Congress ruled States clearly stated that the NCTC in its present proposed form cannot be





carried forward. I am also informed that, in response to a query at the meeting by one of the States, the Union Home Secretary clarified that the NCTC Office Memorandum had not been withdrawn and that, therefore, this is deemed to have come into effect from 1st March, 2012.

It is surprising that, against this background, a meeting of Chief Ministers has been convened on the 16th of April 2012, to discuss various matters relating to Internal Security. Among those issues listed for discussion, the subject of NCTC also figures as one of the items. It is indeed unfortunate that, without taking into consideration the views and sentiments of various State Chief Ministers, the constitution of the NCTC is sought to be steamrolled into existence.



At this juncture, I request that the formation of the NCTC may first be ordered to be held in abeyance and a separate meeting of Chief Ministers may be convened only to discuss this matter.

The views of various Chief Ministers will have to be given due consideration and a purposeful discussion on counter terrorism should be made possible. I request an early reply in this matter.

★ ★ ★


**Vehement Objection to National
Commission for Human Resources
for Health Bill 2011**

D.O. letter dated 12.04.2012

I would like to place on record my vehement objection to the National Commission for Human Resources for Health (NCHRH) Bill, 2011, which has now been referred to the Standing Committee on Health and Family Welfare by the Rajya Sabha.

The new Bill effectively puts the leadership and decision making process with regard to medical, dental and paramedical education in the hands of about twenty five persons, all of whom are nominees of the Central Government. This undermines the powers of the State Governments, which are left with no role to play in policy issues related to health manpower planning, curriculum and course design as well as approval of new institutions offering courses in medicine and allied disciplines. Need based planning for medical, dental and paramedical



manpower should follow regional and local demands. This would best be achieved only by giving adequate representation to the States in policy making bodies.

I firmly contend that the status quo may be maintained with regard to the functioning of the existing National and State Councils. These may be strengthened and improved with increased participation of the State Governments at the level of the National Council.

I, therefore, strongly reiterate my opposition to the NCHRH Bill which usurps the powers of the States in the critical area of health human resources by creating new structures which hit at the very root of federalism.

★ ★ ★





**‘Compensate State for Revenue Losses
Due to the CST Reduction’**




D.O. letter dated 14.04.2012


I wish to draw your attention to certain outstanding issues regarding compensating States for the loss in revenue on account of reduction of the rate of Central Sales Tax (CST) for 2010-2011 and the subsequent years. The Chairman, Empowered Committee of State Finance Ministers, has already conveyed the objections of the State Governments, including Tamil Nadu. But it is unfortunate that the Government of India is still sticking to its unreasonable stance.

Though the Government of India had agreed to compensate the States for the revenue loss for the year 2010-2011 also, the eligible compensation for 2010-2011 was arbitrarily restricted by deducting the additional revenue realised through the revision of Value Added



Tax (VAT) rate from 4% to 5%. I would like to point out that the action of the Government of India in linking CST compensation with the additional revenue on account of VAT rate revision is unilateral, arbitrary and untenable. There is no link between CST rate reduction and VAT rate enhancement. It was never a part of the guidelines for CST compensation.

Secondly, the decision to stop CST compensation from 2011-2012 is equally objectionable. The CST rate was reduced only as a precursor to the introduction of Goods and Service Tax (GST). Since it is the Government of India's responsibility to introduce GST by evolving a consensus and by putting in place appropriate mechanisms, the States cannot be expected to bear the loss on account of its failure to introduce GST. The Government of India has a moral responsibility to compensate the States till GST is introduced. Moreover, States like Tamil Nadu are suffering huge revenue loss on account of the CST rate reduction. In fact, our State could have realised an additional revenue of Rs.2000 crore between 2007-08 and 2010-11, even after taking into account the Government of India's compensation. This tax loss pushed back the




revenue base to a lower level and the State continues to suffer incremental revenue loss which is in the range of Rs.1500 crore to Rs.2000 crore per annum in the next three years.

I must also point out that such unilateral and unreasonable actions by the Government of India do not augur well for fostering a spirit of co-operative federalism especially at a time when the Government of India is trying to build a consensus among the States for GST.

Therefore, I request that the following issues need to be sorted out expeditiously through your personal intervention:

i) Non implementation of GST from 1-4-2010 should not be taken as a ground to stop the CST compensation and the Government of India has to provide compensation till GST is introduced as the revenue loss suffered by the States is substantial and permanent.

ii) Revision of VAT rate from 4% to 5% should not be linked to the CST compensation for 2010-2011 as it was





not part of the original compensation package and the VAT revision had nothing to do with the CST.



iii) If further delay is expected in implementing GST, then the CST rate must be restored immediately to the original 4%.

I am confident that you will give due consideration to these issues and have them sorted out at the earliest.

★ ★ ★

Request to Postpone Restricting Power Grid Frequency Band Width

D.O. letter dated 15.04.2012


You are well aware that the Country as a whole is facing severe power shortage. The Government of India is finding it difficult to achieve even 50% of the planned capacity addition target. Under the circumstances, the directive of the Central Electricity Regulatory Commission for tightening the Grid frequency is likely to play havoc with the power utilities, especially in Tamil Nadu which is already facing severe transmission congestion problems.

The operating Grid frequency bandwidth of 49.5 Hz to 50.2 Hz is proposed to be further restricted to 49.7 Hz to 50.2 Hz in the name of ensuring Grid stability. The Unscheduled Interchange (UI) charges at the minimum frequency of operation proposed are also raised from Rs.8.73 per unit to Rs.9 per unit. The cost of power drawn

at frequency below the set level would further increase the cost of power to the utility.



The Tamil Nadu Generation and Distribution Corporation - TANGEDCO, (erstwhile TNEB) which is already in a debt trap would be subjected to severe financial stress on account of this move to an extent of over Rs.350 crores per year. As the Grid stability has not been adversely affected in the recent past with the existing frequency bandwidth and considering the prevailing power shortage situation, such a drastic move is totally unwarranted at this stage. Further, this may result in increasing the duration of enforced load shedding in Tamil Nadu causing irreparable loss to consumers, particularly in rural areas, which may adversely affect agricultural production and the economic growth of the State.

This issue was taken up by my Minister for Electricity with the Union Minister for Power by his D.O. letter dated 23.1.2012, but it was of no avail. Considering the damage that would be caused to the power utilities, the TANGEDCO has been forced to take this issue to the High Court of Madras to obtain an interim relief.





However, in order to effect a durable solution to the problem, I request you to advise the authorities to postpone the proposal for further tightening of frequency bandwidth to a future period when the demand-supply situation and inter-state connectivity in the Country improves.

★ ★ ★

**Demand for the Appointment
of New Chairman for Cauvery
Water Disputes Tribunal**





D.O. letter dated 19.04.2012

I understand that the Chairman of the Cauvery Water Disputes Tribunal Shri Justice N.P. Singh has tendered his resignation on health grounds.

As you are aware, the Cauvery Water Disputes Tribunal has given its Final Order on 5.2.2007 allocating the Cauvery Water among the States. However, the Final Order is yet to be notified. Meanwhile, the petitions under section 5(3) of the Inter-State River Water Disputes Act, 1956, seeking explanation or guidance by the party States and the Government of India are pending before the Cauvery Water Disputes Tribunal since 2007.

The Government of Tamil Nadu on 16.3.2012 filed a Civil Miscellaneous Petition before the Cauvery Water Disputes Tribunal to take up the pending applications filed by the party States and the Central Government under section 5(3) of the said Act and dispose of the same at the



earliest. The Tribunal on 23.3.2012 had also issued notice about listing of this Civil Miscellaneous Petition before the Tribunal on 17.4.2012. However, this Civil Miscellaneous Petition was not take up due to the resignation of Shri Justice N.P. Singh.

At this crucial juncture, the resignation of Shri Justice N.P. Singh as Chairman of the Cauvery Water Disputes Tribunal has caused deep concern and anxiety in the minds of the people of Tamil Nadu.

The Tribunal cannot function without the Chairman as required under section 4(2) of the Inter-State River Water Disputes Act, 1956, with its two members. As per section 5A of the said Act, the proceedings of the Tribunal can only be continued if a person is nominated as the Chairman of the Tribunal.

In the circumstances, I seek your personal intervention to appoint a new Chairman for the Cauvery Water Disputes Tribunal immediately.

★ ★ ★





**Requesting Amendment to the
BSF Act in the Chief Ministers' Meet**




D.O. letter dated 19.04.2012

The Conference of Chief Ministers on Internal Security that was held on 16th April, 2012, ended on a note of optimism for the State Governments with the promise of the Ministry of Home Affairs agreeing to step back in areas concerning Public Order and the Police. I am sure that the meaningful discussions will be faithfully recorded and action taken in a manner consistent with the sentiments expressed by the Chief Ministers.


In the context of the Conference, I wish to highlight an issue concerning the amendments to the BSF Act, 1968. This item was contained in the Supplementary Agenda notes that reached us only on the day of the Conference.



Hence my views expressed at the Conference did not carry my State's response to this matter.

I wish to categorically register my disapproval of the manner in which the subject was sought to be introduced as a supplementary agenda item. The members of the Rajya Sabha had, as early as on the 29th March, 2012, requested that the subject be discussed in the Conference of Chief Ministers. With more than two weeks at their disposal, I am surprised that the Ministry of Home Affairs had proposed this as a supplementary agenda item. The provisions of the proposed amendments to the BSF Act smack of a desire to smuggle in a mechanism inspired by the same goals as those behind the setting up of an operations division in the NCTC, through the back door.

It was heartening to note that, based on my request, you directed the Union Home Minister to convene a separated meeting of Chief Ministers to discuss matters concerning the NCTC on 5th May, 2012. Since the amendments proposed to the BSF Act seem to have a similar motive,



it would be appropriate if these are also discussed at the same Conference. I also request that no further action on the Bill in the Rajya Sabha may be taken, till the views of the Chief Ministers are heard and the way forward, finalized.

I look forward to an early reply in the matter.

★ ★ ★





**Early and Safe Release
of Abducted District Collector
in Chhattisgarh**




D.O. letter dated 23.04.2012

As you are already aware, Thiru Alex Paul Menon, IAS., the Collector of Sukma District in Chhattisgarh State was abducted by Maoists on 21st April, 2012, while he was on an official inspection and review tour in a remote village bordering the State of Odisha. The abducted officer is from Tirunelveli District in Tamil Nadu and as such his family members are very worried over the safety of the officer. It is very unfortunate that the officer was abducted while he was discharging his official duties as the District Collector. I am sure the Government of India in the Ministry of Home Affairs would have already taken steps to ensure the safe release of the abducted officer at the earliest. I would like to stress the fact that the local people including the family members of the abducted officer are greatly



exercised over the incident, especially since the Officer is not keeping well, and they are fervently looking forward to the good news of the early release of the abducted officer. I, therefore, strongly urge that immediate steps be taken by the Government of India towards securing the early and safe release of the abducted officer and thereby bring relief to his family members.”

★ ★ ★




**Demanding Entire Allotment
of Power from Koodankulam
to Tamil Nadu**



D.O. letter dated 25.04.2012

“While drawing your attention to my letter dated 31st March, 2012, I would like to state that details with regard to action on the allocation of the entire power to be generated from the Koodankulam Nuclear Power Plant to Tamil Nadu are yet to be known. Now I understand that nuclear fuel loading is going to take place in the next few days in the first Unit of the Plant of 1000 MW capacity.

It is expected that criticality will be reached in the following 20 days or so, leading to power generation from the first Unit of the Plant.



It is against this background that I take this opportunity to remind you of my earlier request. I am sure that you will do the needful by accepting the absolutely justified demand of our State.

I look forward to an early positive response from you.”

★ ★ ★




**‘Restore Interest Rate
on RIDF Loans’**





D.O. letter dated 26.04.2012

The State Governments have been using the Rural Infrastructure Development Fund (RIDF) of the National Bank for Agriculture and Rural Development (NABARD) as a cost-effective financing option for taking up various essential infrastructure activities in rural areas. Tamil Nadu is one of the front-running States both in terms of sanction of projects as well as drawal of funds from RIDF. At present, Tamil Nadu has a bank sanction of Rs.2184 crores for which funds will be drawn in 2012-2013 and subsequent years. We had proposed such massive investment using RIDF loan only on the assumption that the lending rates would remain reasonable.

Now, I understand that the Reserve Bank of India has revised the interest rate for RIDF loan to 8% per annum. Such a high rate will make RIDF loans unviable and the States will be forced to cut down on investment in rural infrastructure which is vital for inclusive development. What is more shocking is that the higher interest rate of 8% is made applicable to the drawals after 1.4.2012 even for those projects which have already been sanctioned in the previous financial years. You will agree with me that once a project is sanctioned, it is not fair to alter the conditions during the project period. This unilateral action by the Reserve Bank of India has totally taken us by surprise and has upset the financial projections. As a result, Tamil Nadu will have an additional interest burden of Rs.229 crores on the projects already sanctioned and under implementation.

Therefore, I request your personal intervention for the following:

(i) The interest rate on RIDF loan should be restored to its original rate of 6.5%.



(ii) If at all the interest rate has to be enhanced, it should be kept around 7% and made applicable only to the loans for those projects which will be sanctioned from 2012-2013 onwards.

I am confident that an amicable solution will be found for this issue at your behest at the earliest in consultation with the Reserve Bank of India.

★ ★ ★



**‘Convene Cauvery River
Authority Meet’**



D.O. letter dated 18.05.2012

The Cauvery River Authority last met on 10.2.2003 and its meeting is long overdue.


In my D.O. letter dated 17.10.2011, I had requested you to issue instructions to the Ministry of Water Resources to notify the Final Order of the Cauvery Water Disputes Tribunal dated 5.2.2007 in the Gazette of India and to place in position the Cauvery Management Board for the effective implementation of the Final Order of the Cauvery Water Disputes Tribunal. However, the Minister of Water Resources informed me that it would be appropriate to consider notification of the Order dated 5.2.2007 of the Cauvery Water Disputes Tribunal once the matter is disposed of by the Supreme Court.

I would like to bring to your notice that the Government of Karnataka is not ensuring the flows in the Cauvery as

per the monthly pattern prescribed in the Interim Order in force or as per the Final Order dated 5.2.2007 of the Cauvery Water Disputes Tribunal in the crucial months of June to September.

Further, the Government of Karnataka has been unjustly utilising the water for summer irrigation from February to May by depleting the storage in its 4 major reservoirs. The combined gross storage in the 4 major reservoirs of Karnataka as on 1st February, 2012, was 58.50 TMC ft. The combined gross storage in the 4 major reservoirs as on 14.5.2012 is 28.176 TMC ft. The Government of Karnataka has depleted a storage of about 30.33 TMC ft. from 1.2.2012 to 14.5.2012, besides utilizing the flows of about 11 TMC ft. Thus, the total utilization from 1.2.2012 to 14.5.2012 is about 41 TMC ft. Due to depletion of storage during summer months, the Government of Karnataka impounds all the initial monsoon flows in its reservoirs and releases water only when they start surplusing, thus affecting the inflows into the Mettur Dam, which consequently affects the Kuruvai crop very badly and also delays the cultivation of the Samba crop.

As you are aware, the finalization of the Distress Sharing Formula evolved by the Central Water Commission is eluding a solution which has ultimately deprived Tamil



Nadu of adequate water which should have been released by Karnataka either as per the Interim Order of the Tribunal or by the formula evolved. The Cauvery Monitoring Committee in its 24th meeting had decided to refer the formula to the Cauvery River Authority for consideration when noticeable distress condition occurs in future. Such a distress situation may arise at any time.

There is another issue which requires immediate consideration by the Cauvery River Authority. The Interim Order of the Cauvery Water Disputes Tribunal which is in force specifies that the Government of Karnataka shall not increase its area under irrigation beyond 11.20 lakh acres. The Government of Karnataka is not furnishing yearwise details of the area under irrigation.

In the circumstances, I request you to kindly convene the meeting of the Cauvery River Authority forthwith to decide the issues.

I look forward to your immediate positive response in this matter.

★ ★ ★



**‘Restraining Karnataka
Government from Constructing
Check Dam Across Pennaiyar’**




D.O. letter dated 19.05.2012

I wish to bring to your urgent notice an important issue relating to the proposals of the Government of Karnataka to build check dams and diversion structures across the Pennaiyar River which originates in Karnataka but flows through Tamil Nadu.


The Pennaiyar River flows through the districts of Krishnagiri, Dharmapuri, Thiruvannamalai, Villupuram and Cuddalore in Tamil Nadu and is the lifeline of the people living in these districts. The river irrigates an ayacut of nearly 4 lakh acres.

I understand that the Government of Karnataka has proposed to construct check dams and diversion structures



across the Pennaiyar River which is causing great alarm and apprehension in Tamil Nadu. Any attempt to withhold the flows by constructing check dams and diversion structures across the Pennaiyar River will be a serious breach of the existing Inter- State Agreement on this issue. This will also be a body blow to the farmers of Tamil Nadu besides affecting the basic drinking water supply position.



As you are aware, the Pennaiyar is an Inter-State River and is also one of the Rivers mentioned in Schedule 'A' annexed to the Madras-Mysore Agreement of 1892. As per clause-II of this Agreement, the upstream State should not, without the previous consent of the downstream Tamil Nadu State, build any new anicut or any structure to obstruct, divert or store the waters of the river across any part of the river. The Government of Karnataka has neither sought the consent of the Government of Tamil Nadu nor have they furnished any information to the Government of Tamil Nadu, despite the Government of Tamil Nadu taking up the matter with the Government of Karnataka to furnish the details of the schemes and also urging them not to commence any work without the consent of the Government of Tamil Nadu.





I, therefore, request you to kindly intervene in this matter urgently and advise the Government of Karnataka to stop forthwith the execution of any check dams or diversion structures etc., across the Pennaiyar River.

I shall be thankful for an immediate response in this regard.

★ ★ ★





Demand to Increase Allocation of Kerosene to Tamil Nadu

D.O. letter dated 25.05.2012

You may recall that in my D.O. letter dated 1.6.2011, I had requested enhancement of the allocation of kerosene to Tamil Nadu from 44,580 KL allocated for June, 2011, to 65,140 KL per month which is the actual requirement. This was followed by another request on the same lines as contained in the Memorandum submitted by me personally to you on 14.06.2011. I had also brought to your notice the unfair treatment meted out to my Government in this matter by specifically pointing out that the Central allotment of 52,806 KL for the months of April and May, 2011, was reduced to 44,580 KL without any reason. Now, the allocation has been further whittled down to 39,429 KL for the quarter April-June, 2012 again without any reason or logic. While I have been all along pointing out to you that the poor people in the rural and urban areas of Tamil



Nadu depend on kerosene supplied through the Public Distribution System (PDS), this callous approach on the part of the Government of India in consistently reducing the allocation is tantamount to penalizing the poor people of Tamil Nadu simply because they voted for the All India Anna Dravida Munnetra Kazhagam Government which is in power at present.

I can only term this as totally arbitrary. The deliberate reduction in the allocation of kerosene by the Government of India to Tamil Nadu even to the extent of 50% of the actual requirement is absolutely unreasonable, unacceptable, unfair and unjust. Hence, I request you to kindly reconsider the whole matter and ensure justice by enhancing the allocation of kerosene to 65,140 KL per month or at least to 52,806 KL which was allotted for April-May, 2011.

★ ★ ★



**‘Advise Kerala Against
Obstructing Tamil Nadu Officials
at the Site of Mullai Periyar Dam’**




D.O. letter dated 27.05.2012

As you are aware, the Supreme Court of India appointed an Empowered Committee under the chairmanship of Justice Dr. A.S. Anand to study the safety aspects of the Mullai Periyar Dam.

The Empowered Committee had ordered a series of tests to assess the structural stability of the Dam including the core stability test for which vertical holes had to be drilled and the core extracted. Accordingly, the tests were completed. Now, the holes have to be closed, in view of the approaching monsoon.

The Government of Kerala has been preventing the officials of Tamil Nadu from closing these drilled holes, in spite of the clear directions given by the Empowered Committee to close the holes. The Government of




Tamil Nadu has also taken up the matter with the Government of Kerala but to no avail.

It is necessary to fill the vertical holes before the onset of the monsoon so as to prevent any damage to the Mullai Periyar Dam. The attempt of the Government of Kerala to prevent us from filling the drilled holes appears to be a ploy intended to ensure that the structural stability of the Dam is weakened, especially in the light of the report of the Empowered Committee which has concluded that the Dam is structurally, seismically and hydrologically safe and the water level could be raised to 142 ft.

The Kerala Police have been stationed at the Dam site only for the purpose of guarding the Dam. The Government of Kerala had given an undertaking to the Supreme Court that it would provide necessary protection to the Dam. However, in practice, the Government of Kerala has been using its Police to stop Tamil Nadu Engineers from carrying out even routine maintenance works on the Dam and its appurtenant structures. This attitude of the Government of Kerala is reprehensible and needs to be set right.

You may recall that in my earlier letters and in the Memorandum I had presented to you on 25.12.2011, I had requested you to order the deployment of the Central






Industrial Security Force to safeguard the Dam. This request is yet to be acceded to.

I, therefore, request you to advise the Government of Kerala not to prevent the officials of Tamil Nadu from carrying out the essential work of closing the drilled holes on the Mullai Periyar Dam.

Further, if the Government of Kerala persists with this recalcitrant attitude and if the Government of India does not respond to my request for the deployment of the Central Industrial Security Force, the Government of Tamil Nadu will have no option but to deploy its own Police Force to guard the Mullai Periyar Dam in the area leased out to Tamil Nadu.


I look forward to your immediate action in this matter.

★ ★ ★



**Demanding Increase of Allotment
of Kerosene to Tamil Nadu**



D.O. letter dated 10.06.2012

You may recall my D.O. letter dated 25.5.2012, in which I have reiterated my request for the enhancement of allocation of kerosene to Tamil Nadu from 44,580 KL to 65,140 KL per month, which is the actual requirement of the State. Further, in that letter, I have cited my earlier D.O. letter dated 1.6.2011 addressed to you and also the Memorandum submitted by me personally to you on 14.6.2011, in which the above request for enhancement of kerosene allotment to Tamil Nadu had been insisted upon. The sudden drastic reduction of the allotment of kerosene to the State from 52,806 KL for the months of April and May, 2011, to 44,580 KL in June, 2011, caused great hardship. After the All India Anna Dravida Munnetra Kazhagam Government came to power in this State, the allotment was further reduced to 39,429 KL for the quarter April 2012-June 2012, without any reason or logic. I had



requested you to enhance the allotment to at least 52,806 KL per month to tide over the acute shortage of kerosene faced by the people of Tamil Nadu.

Now the Government of India has given a monthly allotment of 42,460 KL with an increase of just 3,031 KL per month. The increase in allotment now effected is negligible when compared to the drastic reduction effected by the Government of India from 52,806 KL in May, 2011, to 44,580 KL in June, 2011, which was further reduced to 39,429 KL from April, 2012. Thus, my Government has been subjected to great hardship with an unreasonable, cumulative reduction of the order of 13,377 KL (52,806 KL – 39,429 KL) per month.

As Tamil Nadu's Public Distribution System kerosene requirement is 65,140 KL per month, I once again request you to allot at least 52,806 KL per month which was the allotment at the time when my Government assumed power in the State. I hope you will also co-operate with me in mitigating the sufferings of the rural poor and the vulnerable population segment in the State.

★ ★ ★





**Expressing Tamil Nadu's Concern
on Proposal to Construct
Dam Across Siruvani**





D.O. letter dated 21.06.2012

I would like to draw your kind attention to disconcerting reports appearing in the media about the Kerala Government's plan to construct a dam across the river Siruvani at Attapadi. It appears that Kerala has planned to build a dam of 4.5 TMC ft capacity on the river Siruvani for the Attapadi Irrigation Scheme. This has caused concern among the people of Tamil Nadu as the inflows into the river Bhavani would be considerably reduced if Kerala goes through with its plan. Further, there is wide apprehension among the people that the entire city of Coimbatore and its adjoining areas, dependent on Siruvani for their drinking water needs, will be totally affected if Kerala is allowed to build the dam.



The Government of Kerala had agitated this issue before the Cauvery Water Disputes Tribunal claiming 4.5 TMC ft of water for the Attapadi Irrigation Scheme. The Government of Tamil Nadu objected to the claim and the Tribunal in its Final Order dated 5.2.2007 has allocated only 2.87 TMC ft of water to Kerala for the Attapadi Irrigation Scheme. Therefore, the present proposal of Kerala is in violation of the Final Order of the Cauvery Water Disputes Tribunal.

The Governments of Kerala and Karnataka have appealed in the Supreme Court against the Final Order of the Cauvery Water Disputes Tribunal and the Government of Tamil Nadu has also approached the Supreme Court on certain aspects of the said Final Order. All the Party States have also filed clarification petitions before the Cauvery Water Disputes Tribunal under section 5(3) of the Inter State River Water Disputes Act, 1956. These petitions are pending. In these circumstances, it is only proper for the Party States to await either the notification of the Final Order or the judicial decisions before initiating any new scheme in the Cauvery Basin or in its sub basins.



May I, therefore, request you to advise the Government of Kerala not to proceed with the proposed Attapadi Irrigation Scheme or any other scheme on the river Siruvani in violation of the Tribunal's Final Order? I also request you to advise the Central Water Commission not to accord technical clearance for Kerala's proposal of building the dam on river Siruvani.

I request your immediate intervention in this matter to protect the interests of Tamil Nadu.

★ ★ ★



**Demanding Full Requirement
of Fertilizers to Tamil Nadu**



D.O. letter dated 26.06.2012

It is with a sense of deep pain and anguish that I write this letter to you to protect the interests of the farmers of Tamil Nadu. The introduction of the Nutrient Based Subsidy Scheme (NBS) by the Government of India from 1st April, 2010, coupled with an unreliable supply of fertilizers to the State is indeed threatening to deprive our farmers of their basic means of sustenance and livelihood.

The annual consumption of Chemical Fertilizers in Tamil Nadu is about 28 lakh Metric Tonnes (MT). With the introduction of the NBS policy, liberty has been given to the Manufacturers/Importers of Chemical Fertilizers to fix the MRP based on their cost of production/ import. Since then, these fertilizer companies have been hiking the retail price of fertilizers at will, causing extreme hardship to farmers.

Consequently, the prices of various fertilizers have gone up two to three times after the introduction of the NBS policy. The increase has been particularly steep since April, 2012. To cite a few examples, between 17th April, 2012, and 18th June, 2012, the MRP of a 50 kg bag of DAP and MOP marketed by Indian Potash Limited has increased from Rs.910/- to Rs.1200/-, and Rs.680/- to Rs.840/- respectively.

The rate of a 50 kg bag of DAP (IPL) has gone up to Rs.1200/- from Rs.486.20 (an increase of 247%), a 50 kg bag of MOP (IPL) now costs Rs.840/- as against Rs.231.66 (an increase of 363%), the rate of a 50 kg bag of Complex 10:26:26 (IFFCO) has increased to Rs.1110/- from Rs.374.24 (an increase of 297%) and the rate of a 50 kg bag of Complex 20:20:0:13 (Greenstar) has increased to Rs.858.76 from Rs.327.40 (an increase of 262%) since 2010.


To add insult to injury, despite such a phenomenal increase in Fertilizer prices in the current year, the Department of Fertilizers, GOI, has reduced the subsidy for 2012-2013 for DAP to Rs.14,350/- per MT from Rs.19,763/- per MT fixed last year, and for MOP to




Rs.14,400/- per MT as against Rs.16,054/- per MT fixed last year.

I understand that the Department of Fertilizers has also proposed a hike of another 10 per cent in Urea prices and has also planned to cut subsidies further on the pretext of subsidizing bio-fertilizers. Faced with a steep price rise and having to digest a sharp reduction in subsidy, our farmers have been hit hard in terms of economic returns from farming. I have tried to mitigate the blow delivered by the Central Government and protect our farmers' interests by waiving the levy of 4% VAT on the sale of fertilizers. This waiver of 4% VAT on Chemical Fertilizers, Bio-fertilizers, Pesticides etc., from 12th July, 2011, onwards, has afforded some relief to our farmers.

However, since the pricing of fertilizers is governed by various policies of the Central Government, I strongly urge you to immediately withdraw the NBS policy and reintroduce the fixed MRP policy for all fertilizers. Otherwise a situation will emerge wherein farming will become absolutely unremunerative, resulting in large tracts of land being left uncultivated.




The timely supply of fertilizers in adequate quantity is another area to which I would like to draw your urgent attention. Fertilizer is the most critical input in farming. But there was a shortfall of 1.1 Lakh MT of MOP for the Kharif Season in 2011. Further, the State also faced short supply of DAP and Urea during August-November 2011 (Samba Season) to an extent of 33,967 MT and 1.37 Lakh MT respectively. Despite all these constraints, due to effective measures and timely steps taken by my Government, Tamil Nadu has performed well and is expected to record an all time high level of food-grains production of 103.85 lakh MT during 2011-2012. But the supply of fertilizers continues to be dismal in the current financial year also. While the DAP requirement for April to May 2012 was 48,000 MT, the fertilizer firms supplied only 20,603 MT, resulting in a shortfall of 27,397 MT. In the month of June 2012, the allocation of DAP is only 23,000 MT against the estimated requirement of 30,000 MT. I strongly urge you to immediately allocate the estimated full requirement of DAP to the State to meet the demand for the Kuruvai cultivation, which is already underway.




I wish to conclude by reiterating the points made earlier that the Nutrient Based Subsidy policy should be immediately withdrawn and that the previous system of fixed MRP of Fertilizers should be restored to protect the farming community and to ensure food security for the Nation. I also request you to issue immediate directions to the Department of Fertilizers to allocate the full requirement of fertilizers for Tamil Nadu so that our farmers are not faced with fertilizer shortages. I shall be thankful for your personal intervention in the matter.

★ ★ ★




**‘Impress upon the Sri Lankan Government
that its Navy must Refrain
from Harassing Indian Fishermen’**



D.O. letter dated 27.06.2012

I would like to bring to your kind attention yet another incident of harassment of fishermen from Tamil Nadu by the Sri Lankan Navy on 26.6.2012. About 704 mechanized fishing boats went for fishing in the sea from Rameswaram fishing base on 25.6.2012. Fishermen in 45 boats fishing near Katchatheevu on 26.6.2012, were harassed by the Sri Lankan Navy. The Sri Lankan Navy is reported to have chased the fishermen and cut the ropes and damaged nets of 10 boats resulting in huge loss to the fishermen.

You are aware that I have brought to your kind attention the various incidents of attack on Indian fishermen from Tamil Nadu by the Sri Lankan Navy / Miscreants within the past 12 months and sought your intervention. This latest incident of harassment has shocked the State of





Tamil Nadu and created a psychological fear in the minds of our fishermen.



I wish to reiterate that from time immemorial the fishermen of Tamil Nadu have been traditionally fishing in the waters near Katchatheevu, notwithstanding any geographical or political boundaries.

I request you to kindly take up the issue with the Sri Lankan Government and impress upon them the need to instruct their Navy to exercise restraint and refrain from harassing innocent Indian fishermen pursuing their livelihood in their traditional waters.

★ ★ ★


**‘Take Up with Sri Lanka
issue of Immediate Release of All
Arrested Fishermen’**

D.O. letter dated 04.07.2012

I invite your kind attention to my letter dated 28.6.2012, wherein I have sought your intervention in preventing the incidents of harassment of Tamil Nadu fishermen by the Sri Lankan Navy. I am deeply pained to bring to your notice two more incidents of apprehension of Tamil Nadu fishermen by the Sri Lankan Navy on 2.7.2012.

One vallam with 3 fishermen went fishing from Mukundarayachathiram fishing base in Rameswaram on 29.6.2012. The above vallam and the crew are reported to have been arrested near Kalpiti Island by the Sri Lankan Navy, alleging transportation of tobacco products. The fishermen and crew were reportedly taken to Neer-Colombo for further enquiry.



In another incident, one mechanized fishing boat with 5 crew members which went fishing from Rameswaram base got grounded in the sea near Katchatheevu. A search boat with 5 crew members was sent to locate and tow the grounded boat back to the fishing base. It has been reported that both the boats with all the 10 crew members onboard have been detained by the Sri Lankan Navy and they have been lodged in a Sri Lankan Jail.

You are aware that already 5 Rameswaram fishermen are languishing in Sri Lankan jails due to a fabricated case since 29.11.2011. The arrest of 13 more Rameswaram fishermen with their 3 boats has further confirmed the unrelenting, harsh attitude of the Sri Lankan Navy towards our Tamil Nadu fishermen who seek to eke out their livelihood by fishing in the traditional Palk Bay waters.

I, therefore, request you to kindly take up the issue with the Sri Lankan Government and arrange for the immediate release of all the fishermen of Rameswaram arrested by the Sri Lankan Navy.

★ ★ ★



**A Call to Stop the Training
to Sri Lankan Armed Force in India**



D.O. letter dated 16.07.2012


You may recall the Resolution passed by the Tamil Nadu Legislative Assembly in June, 2011, urging the Government of India to take up with the United Nations Organisation the issue of declaring those found guilty of war crimes as war criminals, and also to initiate action by working with other Nations for the imposition of an economic embargo on the Government of Sri Lanka till the Tamils who are now living in camps in Sri Lanka are resettled in their own places and are allowed to live with dignity and with equal Constitutional rights on par with the Sinhalese citizens.

Tamils across the world feel that the sentiments of the Tamils have been trampled on by the Government of India not only by its inaction on this resolution, but also by continuing to give preferential treatment by way

of providing technical training to defence personnel belonging to Sri Lanka.

When nine personnel belonging to the Sri Lankan Air Force were undergoing technical training at the Air Force Station, Tambaram, Tamil Nadu, I had issued a press statement condemning this action of the Government of India and requesting that these Sri Lankan Air Force personnel should be sent back to Sri Lanka. Instead of sending them back to Sri Lanka, the Government of India is now providing training to these personnel at the Yelahenka Air Force Station, Bengaluru.

Again, it has now come to my notice that Air Vice Marshal Jegathulanga Diaz of the Sri Lankan Air Force and Rear Admiral S. Ranasinghe of the Sri Lankan Navy, who are undergoing training at the National Defence Academy, New Delhi, along with 25 other trainees belonging to various countries have arrived at Coonoor, The Nilgiris District, Tamil Nadu, on 15.7.2012 and are visiting the Defence Service Staff College, Wellington, on 16.7.2012 as part of their training programme. Imparting training to personnel belonging to the Sri Lankan Armed Forces in Defence Training Institutions in India and allowing them to visit Tamil Nadu reveals the utter disrespect shown to the sentiments of the people of Tamil Nadu.



The people of Tamil Nadu are frustrated and outraged by this callous and adamant attitude of the Government of India in persistently giving training to personnel belonging to the Sri Lankan Armed Forces in India.

I, therefore, request you to give suitable instructions to the Ministry of Defence to desist from giving any training to personnel belonging to the Sri Lankan Armed Forces anywhere in India and send such personnel back to Sri Lanka immediately.

★ ★ ★




Demanding Investigation into the Death of Tamilian in Dubai




D.O. letter dated 17.07.2012

I wish to bring to your kind attention, an incident of death of a Tamil Nadu fisherman in the Dubai seas, due to shooting by an American US Naval ship on 16.7.2012.

The following fishermen of Ramanathapuram District had gone to Dubai, United Arab Emirates, to work in a fishing boat on contract basis (daily wage basis) for eking out their livelihood and to support their families:


1. Thiru A.Sekhar, aged 25 years
2. Thiru M.Panduvanathan, aged 22 years
3. Thiru K.Muthukannan, aged 32 years
4. Thiru R.Muthumaniraj, aged 27 years

The above fishermen were reported to have been engaged in fishing in a civilian vessel (about 30 feet

long) at a place called Jabel Ali, a frequent docking point for American Naval vessels, about 30 miles south-west of Dubai on 16.7.2012. Reports published in the media reveal that a security team on board the US Naval Ship 'Rappahannock' fired at their fishing boat using a .50-calibre machine gun at about 6.00 PM (IST) on 16.7.2012, after it "disregarded warnings and raced towards the ship".




I am pained to inform you that one of the fishermen A.Sekhar, belonging to Thoppuvalasai village in Ramanathapuram District of Tamil Nadu, died due to the above mentioned shooting by the US Naval Ship. The other three fishermen, whose names are mentioned at Sl. Nos: 2,3 & 4 above, sustained bullet injuries and have been admitted in hospital for treatment.

I also wish to bring to your kind notice that, in a similar incident which took place in February, 2012, in the sea off Cochin, 2 fishermen, one belonging to Tamil Nadu viz. Ajeesh Bingo of Kanniyakumari District and another from Kerala were killed due to shooting by the Security Personnel on board an Italian Cargo vessel viz. "ENTRICA LEXIE". Efforts were then made by the Government of India to obtain compensation for the families of the deceased fishermen from the concerned Italian Merchant Ship Company.




I, therefore, request you to kindly take up this matter with the Governments of the United States and Dubai, UAE, to cause a detailed enquiry into the incident. I also request you to ensure that due compensation is paid to the families of the deceased and injured fishermen. The Indian Embassy Officials concerned may kindly be asked to render all necessary medical and other assistance to the injured. As the dead and injured fishermen are innocent fishermen who were conducting fishing in the sea only for their livelihood, please ensure that justice is rendered.

★ ★ ★


**Demanding the Release
of 23 Rameswaram Fishermen**



D.O. letter dated 23.07.2012


I wish to bring to your kind notice yet another incident of apprehension of Rameswaram fishermen by the Sri Lankan Navy on 22.7.2012 which has occurred for the second time, within a period of 15 days, in the month of July. Five Mechanized fishing boats bearing Registration Nos: TN/10/MFB/228, TN/10/MFB/400, TN/10/MFB/279, TN/10/MFB/863 and TN/10/MFB/273, which went for fishing on 21.7.2012 from Rameswaram base, with 23 fishermen onboard, have been apprehended by the Sri Lankan Navy and are at present under custody at Thalaimannar in Sri Lanka, having been remanded for two weeks.

The above fishermen were fishing in the sea off Katchatheevu, in their traditional fishing waters, when



they were arrested by the Sri Lankan Navy. As I had already informed you, in my previous letters, the incidents of apprehension and harassment by the Sri Lankan Navy have become a regular occurrence in the past two months, especially after the end of the fishing ban period. The intention of the Sri Lankan Navy to instill fear in the minds of the fishermen and prevent them from conducting fishing in their traditional waters is very obvious from the above incident of apprehension. The above actions of the Sri Lankan Navy have created a feeling of insecurity in the minds of the fishermen, who feel that there is no guarantee for their life and property in the sea, in the prevailing situation.

It would not be out of context to mention that the Sri Lankan Navy temporarily suspends apprehension and harassment activities only at times when diplomatic level meetings are convened between India and Sri Lanka on the fishing issue and resumes such activities immediately thereafter, much to the woe of our fishermen. The fishermen of the districts adjoining Palk Bay, especially from the Rameswaram area, are targeted by the Sri Lankan Navy, making it impossible for the fishermen to conduct fishing



which is the only occupation they know for the sustenance of their families.

I, therefore, request you to kindly arrange for the immediate release of the 23 Rameswaram fishermen with their five boats to Tamil Nadu urgently. Kindly take up this issue with the Sri Lankan Government and request it to instruct its Navy to refrain from arresting fishermen who conduct fishing in their traditional waters only for eking out their livelihood. I also wish to point out that unless the Government of India intervenes in this issue there is every possibility of recurrence of such incidents in the coming months.

I solicit your urgent action in this regard.

★ ★ ★




**Demanding Total Allocation of Power
from Koodankulam**



D.O. letter dated 19.08.2012

I would like to draw your attention to my earlier letters dated 31st March, 2012 and 25th April, 2012, wherein I have sought your assistance for the allocation of the entire power to be generated from the First Unit of 1000 MW capacity in the Koodankulam Nuclear Power Plant to Tamil Nadu. To my dismay, no response has so far been received from you. I am given to understand that nuclear fuel loading in the First Unit of the Koodankulam Nuclear Power Plant is to happen within the next few days.



May I take this opportunity to remind you of my earlier request and expect a quick response? I am sure you will appreciate my State's justified demand in this matter and convey a positive response soon.

★ ★ ★





**‘Put a Stop to Harassment of Indian
Fishermen by Sri Lankan Navy’**




D.O. letter dated 20.08.2012


I wish to bring to your kind notice, a worrisome incident of attack and harassment of innocent Tamil Nadu fishermen by the Sri Lankan Navy on 18th August, 2012. Five Fibre Glass Reinforced Plastic Vallam boats belonging to Vellapallam and Vanavanmadevi fishing villages in Vedaranyam taluk of Nagapattinam district of Tamil Nadu ventured into the sea for fishing on 17.8.2012 and 18.8.2012 with 18 fishermen on board. When they were fishing in the sea at a depth of 15 fathoms near Vellapallam area on 18.8.2012, the fishermen in the above 5 fishing boats were brutally attacked by Sri Lankan Naval personnel who came to the spot in a boat bearing Number D-146. The Naval personnel, besides attacking the fishermen, seized their ice boxes, food and other fishing implements in the boats and dumped them into the sea. They also cut the nets laid



by the fishermen. Serious injuries were inflicted on one fisherman, Thiru Kuppusamy, S/o Ramiah, with a knife on his right wrist, in addition to 7 other fishermen who sustained minor injuries due to assault with rubber rods. All the injured fishermen were given medical treatment in the Government Hospital at Nagapattinam on their return to the shore on 19.8.2012.

This incident is yet another instance of the high handedness of Sri Lankan Naval personnel who keep on targeting the poor and innocent fishermen of Tamil Nadu while they try to eke out their livelihood through fishing. I am distressed to once again have to point out that the incidents of harassment of Indian fishermen by the Sri Lankan Navy simply continue unabated. I had already informed you in my letter dated 23.7.2012 that, unless the Government of India intervenes in this issue, there is every possibility of recurrence of such incidents in the coming months and this incident reinforces our apprehension.

The Sri Lankan Navy, emboldened by the soft handling of the issue by the Government of India, is attacking/harassing the fishermen of Tamil Nadu with impunity. The statements at diplomatic level meetings of the two countries stating that “the use of force on fishermen cannot



be justified by any means” remain only on paper and are honoured more in the breach by the Sri Lankan Navy, who seem to be making a mockery of the entire diplomatic process.

I, therefore, request you to kindly take up this issue strongly with the Sri Lankan Government and ensure that the Sri Lankan Navy strictly refrains from harassing Indian fishermen who conduct fishing in their traditional waters for their subsistence and ensure that such incidents do not occur in future.

I solicit your urgent action.

★ ★ ★




**‘Advise Government
of Karnataka to Release Water
from its Reservoirs’**




D.O. letter dated 23.08.2012

I had, in my letter dated 18.5.2012, brought to your notice the urgent need for convening a meeting of the Cauvery River Authority to decide certain specific issues. My request is yet to be acceded to.

The Interlocutory Application filed by the Government of Tamil Nadu before the Supreme Court in July 2012, came up for hearing on 13.8.2012. The Government of Tamil Nadu sought a direction to the Union of India to convene a meeting of the Cauvery River Authority. The Hon’ble Supreme Court sought the views of the Government of India regarding convening a meeting of the Cauvery River Authority.

You are aware that, according to the Rules and Regulations for the conduct of the business of the Cauvery

River Authority, the quorum for the meeting shall be 3 members in addition to the Chairperson and further, the decision shall ordinarily be by consensus and that, in case no consensus is reached, the decision may be left to the Chairperson. You may recall that the Hon'ble Supreme Court in its order dated 6.2.2003 in an I.A. filed by the State of Tamil Nadu (I.A. No. 3/2003 in O.S. No.3/2002), inter-alia, had directed that in the absence of unanimity or consensus, the decision of the Hon'ble Prime Minister who is the Chairperson of the Cauvery River Authority shall be decisive. Therefore, without prejudice to the pending proceedings in the Supreme Court, the Hon'ble Prime Minister as the Chairperson may convene a meeting of the Cauvery River Authority and the Distress Sharing Formula can be adopted as a situation of distress has arisen now.

I wish to bring to your notice that the Government of Karnataka has not released any water from its reservoirs during the irrigation year of 2012-2013, while it has opened the reservoir for its irrigation. However, the Mettur Dam could not be opened till date due to the reluctance of the Government of Karnataka even to share minimum flows. According to the Interim Order of the Cauvery Water

Disputes Tribunal which is in force, as on 23.8.2012 Mettur Dam should have realised 95.480 TMC ft. against which only a meagre quantity of 9.187 TMC ft. has been realised. Further, according to the Distress Sharing Formula evolved by the Central Water Commission, Mettur Dam should have realised about 43.837 TMC ft. as on 23.8.2012. The farmers in the Cauvery Delta, having lost the Kuruvai crop, are hoping at least to raise one single Samba crop for their livelihood. It is, therefore, imperative that the Government of Karnataka is advised to release water to make good the shortfall quantity as per the Distress Sharing Formula and also to share the flows in this distress situation.

May I, therefore, once again request you to kindly convene a meeting of the Cauvery River Authority forthwith?

I, further, request that pending convening the meeting of the Cauvery River Authority, the Government of Karnataka may be advised to release water for raising the Samba crop in the Cauvery Basin of Tamil Nadu.

★ ★ ★




**Halt Training to
Sri Lankan Defence Personnel**



D.O. letter dated 25.08.2012

I would like to draw your attention to my D.O. letter dated 16.7.2012 wherein I have expressed in no unclear terms the strong views of my Government on imparting training to defence personnel belonging to Sri Lanka. Because of my vehement opposition nine personnel belonging to the Sri Lankan Air Force who were undergoing technical training at the Air Force Station, Tambaram, Tamil Nadu, were relocated to the Yelahanka Air Force Station, Bengaluru. This action itself was not proper because instead of sending these personnel back to Sri Lanka, the Government of India exhibited excessive enthusiasm and concern for these personnel by relocating them to Yelahanka Air Force Station, Bengaluru, in order to enable them to complete their training.



Such a reprehensible attitude on the part of the Government of India is even now reflected in permitting two defence personnel of the Sri Lanka namely (1) Major Dissanayaka Mohottalalage Vengra, of the Sri Lankan Army and (2) Captain Hewawasam Kandaudage, of the Sri Lankan Navy to undergo 11 months training at Defence Services Staff College, Wellington, from 19.5.2012 onwards. It is very clear that this fact of ongoing training since May, 2012, has been mischievously concealed from my Government, showing scant regard for the views of my Government as well as for the sentiments of the people of Tamil Nadu.

I, therefore, request you to give suitable instructions to the Ministry of Defence to immediately halt the training being given to the Sri Lankan defence personnel at the Defence Services Staff College, Wellington, and arrange to send them back to Sri Lanka immediately.

★ ★ ★





**‘Send Back Sri Lankan
Defence Personnel to Sri Lanka’**





D.O. letter dated 28.08.2012

As you are aware, in my letter dated 25.8.2012, I had categorically stated that the on-going training being given to the two Defence personnel of Sri Lanka, named in my letter, at the Defence Services Staff College, Wellington, Tamil Nadu, should be immediately halted and the personnel sent back to Sri Lanka. Instead of acceding to my request, I am surprised to learn that the Government of India has openly declared that the said training will go on since Sri Lanka is a friendly country. This betrays the total insensitivity on the part of the Government of India towards the views of my Government as well as the sentiments of the people of Tamil Nadu.




I once again reiterate that the Government of India should give up such a condemnable attitude and show more consideration and regard for the sentiments of the people of Tamil Nadu by sending the Defence personnel back to Sri Lanka immediately.

★ ★ ★





**Requesting direction to JIPMER to
Revert to Earlier Practice of
Offering Free Service to the Public**




D.O. letter dated 03.09.2012

It has been brought to my notice that the Jawaharlal Institute of Post Graduate Medical Education and Research (JIPMER) has introduced user charges for various medical investigations and procedures. This will badly affect poor patients not only from Puducherry but also from the neighbouring districts of our State, namely, Cuddalore, Villupuram and Tiruvannamalai, who have been availing of health care services free of cost in this institution.



In this context, I wish to place on record that the AIADMK had vehemently opposed the Bill to convert JIPMER into an autonomous institution in Parliament, even at the introduction stage in 2008. Overruling our strident objections, the Bill had been passed with an assurance that





the existing free services to the public would be continued without any change. Introduction of user charges for routine investigations and medical procedure amounts to renegeing on the solemn assurance given in Parliament.

So as to ensure that the people of Tamil Nadu and Puducherry are not adversely affected, I request you to instruct JIPMER to revisit the decision to introduce the new user charges and revert to the earlier practice of offering free services to the public as assured in 2008.

★ ★ ★


**‘Exempt Tamil Nadu from All India
Common Entrance Test
for Admission to Dental Colleges’**

D.O. letter dated 07.09.2012

It has been brought to my notice that the Dental Council of India has issued a Gazette notification regarding the introduction of a National Eligibility Entrance Test for both BDS and MDS courses. In this context, I would like to record my strong objection to the introduction of these tests for the same reasons for which I had already objected to the introduction of a National Eligibility Test for entrance to undergraduate and postgraduate medical courses in my earlier letter to you dated 30.7.2012.


As already stated, the Government of Tamil Nadu has taken steps since 2005 and finally abolished the Entrance Examination for professional courses from the year 2007-2008. This was done after detailed examination by an



Expert Committee that found that such Common Entrance Examinations put rural students and students from lower socio-economic backgrounds at a disadvantage due to lack of geographical and financial access to requisite training institutions and materials.

I had also pointed out that such entrance examinations result in the growth of expensive coaching centres which charge high fees which the poorer students cannot afford. The need for such coaching classes will be specifically felt in the case of a national level examination as the students who pass the 12th standard based on our State syllabi will not face a level playing field as the topics covered for the entrance exam are likely to be based on the NCERT/CBSE curriculum and syllabi.

As part of its policy of upholding social justice, Tamil Nadu has been following 69% reservation for Backward and Most Backward Communities and Scheduled Castes and Tribes in professional courses. The introduction of a National Eligibility Entrance Test would create confusion and litigation in the smooth implementation of this reservation policy both in undergraduate and postgraduate admissions.



The Government of Tamil Nadu therefore strongly protests the move to conduct an All India Common Entrance Test for admission to Under Graduate/Post Graduate Courses in Dental Colleges as proposed by the DCI. I request that Tamil Nadu may be exempted from the test and allowed to continue with its existing system for admission to undergraduate and postgraduate dental seats.

★ ★ ★





**Strong Objections by Government of
Tamil Nadu to All India Common Entrance
Test for Admission to Medical Colleges**




D.O. letter dated 30.9.2012

I would like to draw your attention to my earlier letter dated 30.07.2011 wherein I had conveyed the Government of Tamil Nadu's strong protest against the move to conduct an All India Common Entrance Test for admission to Under Graduates / Post Graduates. However, despite the State's protest it has been brought to my notice that the Government of India has notified the National Board of Examination (NBE) for conducting the National Eligibility Cum Entrance Test for Post Graduate Courses and has gone ahead issuing a public notice for admission to MD / MS / Post Graduate Diploma Courses for the 2013 session.


As already stated in my earlier letter, the State Government has already taken a policy decision to



abolish the entrance examination for professional courses. This was done after detailed examination by an Expert Committee that found that such Common Entrance Tests put rural students from poor socio economic backgrounds at a disadvantage due to lack of geographical and financial access to requisite training institutions and materials.


Further, the Government of Tamil Nadu has reserved 50% of its medical Post Graduate seats for doctors who have completed three years of rural service with special weightage for those working in hilly and tribal areas. The Government has also successfully obtained and enforced bonds from those completing Post Graduate education in Government Medical Colleges to serve the State for a minimum period, which has helped to meet the need for specialist medical manpower. It will be legally difficult to implement these policy initiatives if a Common Entrance Test is introduced as we would have to fall in line with the regulations of the National Test, which may not have such enabling provisions.

We had earlier been assured by the Hon'ble Union Minister of Health and Family Welfare that the States would be consulted and our views considered before



evolving any policy decision with regard to the conduct of an All India Common Entrance Test. The Government of Tamil Nadu had also given its views as above, specifically stating that the All India Common Entrance Test would interfere with the rights of the State Government in administering the education system and would create problems in implementing the reservation policy followed uniquely in our State. Even after repeated requests, by this public notice, it is now clear that the Government of India has not considered our case and has gone ahead with the decision to implement the Common Entrance Test and in the notice has stated that NEET-PG is a mandatory test for gaining entry to MD/MS/PG Diploma courses in all medical colleges under the ambit of post graduate medical education of the Medical Council of India.

We are surprised and distressed by this unilateral decision of the Government of India which has been taken without taking into account our protest and inspite of the stay against the Common Entrance Test obtained in W.P No 341/2011 and 342/2011 in the Madras High Court which holds good until it is vacated or until the writ petition is disposed of.



The Government of Tamil Nadu strongly protests the move to conduct an All India Common Entrance Test for admission to UG / PG courses in Medical Colleges and reiterates that Tamil Nadu should be exempted from the test and allowed to continue with its existing system for admission to Under Graduate / Post Graduate Medical seats.

★ ★ ★




Request Central Intervention to Overcome Power Crisis in Tamil Nadu



D.O. letter dated 23.10.2012

I would like to draw your kind attention to my earlier letters regarding the acute power shortage prevailing in the State and the necessity to allocate additional power of 1000 MW to Tamil Nadu to partly mitigate the crisis. However, a meagre quantum of 100 MW alone was allocated to Tamil Nadu. Even out of this quantum, only about 78 MW is being made available to the State.


There is severe shortage of power in Tamil Nadu due to the failure of the South West Monsoon and the constraints we face in buying power from sources outside the Southern Region due to corridor congestion. Due to the demand



- supply gap of about 4000 MW which is the highest in the Southern Region, widespread load shedding is being resorted to causing severe hardship to the consumers. The Agriculture Sector has also been amongst the worst hit due to the failure of the monsoon and inadequate power supply, thereby affecting food production.

I have already pointed out that the deficit situation in Tamil Nadu has been aggravated due to corridor congestion and have repeatedly requested your urgent intervention to ensure that the required quantum of 1000 MW of power transmission capacity is made available to enable Tamil Nadu to receive the power contracted by the TANGEDCO.

The Government of the National Capital Territory of Delhi has proposed to surrender power from various Central Generating Stations for the period from 1.11.2012 to 31.3.2013 for a quantum of 230 MW Round the Clock (00.00 to 24.00 hrs) and 1491 MW during 00.00 to 6.00 hrs. The Chairman-cum-Managing Director, TANGEDCO, has requested the Ministry of Power, Government of India, New Delhi, to reallocate the entire quantum of



surrendered power to Tamil Nadu and to arrange to provide the necessary corridor on priority basis for availing of the above power.

I request your kind intervention to tide over this acute power crisis in Tamil Nadu.

★ ★ ★





**A Plea for the Constitution of Cauvery
Management Board and Cauvery
Water Regulation Committee**




D.O. letter dated 22.02.2013

At the outset, I would like to convey my happiness at the publication of the Final Order of the Cauvery Water Disputes Tribunal dated 5.2.2007 in the Gazette of India on 19.2.2013. I would like to sincerely thank you very much for the notification.


As you would recall, I had been consistently urging you to order the Ministry of Water Resources to notify the Final Order of the Cauvery Water Disputes Tribunal dated 5.2.2007 in the Gazette of India and to constitute a Cauvery Management Board, without prejudice to the pending Civil Appeals and Reference Petitions in the Supreme Court and the Cauvery Water Disputes Tribunal respectively.



Now that the Government of India, Ministry of Water Resources, has notified the Final Order of the Tribunal in the Gazette of India, it is binding on all the parties to the dispute. Further, as per Section 6(2) of the Inter State River Water Disputes Act, 1956, the decision of the Tribunal after it is published in the Gazette of India will have the same effect as that of an Order or a Decree of the Supreme Court.

In this context, you may be aware that in the Final Order, the Tribunal has concluded that it would be absolutely necessary to establish a mechanism which should be entrusted with the function / supervision / operation of reservoirs and with regulation of water releases therefrom and has accordingly recommended the establishment of a Cauvery Management Board and a Cauvery Water Regulation Committee, with its composition, role and functions.

In the circumstances, I request you to kindly ensure that the Ministry of Water Resources constitutes a Cauvery Management Board and a Cauvery Water Regulation




Committee forthwith, so as to give effect to all the provisions of the Final Order of the Tribunal.

I shall be thankful for your immediate positive response in this matter.

★ ★ ★





**‘Take up with Sri Lankan Authorities
the issue of Release of Indian Fishermen’**

D.O. letter dated 04.03.2013

I wish to inform you that 16 fishermen from Thoothukudi District of Tamil Nadu, who were engaged in fishing in the Gulf of Mannar in 3 mechanized fishing boats bearing Registration Numbers TN/12/MFB/429, TN/12/MFB/431 and TN/12/MFB/003, are reported to have been apprehended by the Sri Lankan Navy in the early hours of 3.3.2013. The fishing boats and fishermen were reportedly taken to Kalpitiya Police Station for further investigation and it is learnt that they have been produced in Court.

I am pained to point out that the incidents of apprehension and harassment of innocent Indian fishermen by the Sri Lankan Navy have become a regular occurrence





in the past few months creating a feeling of insecurity and fear amongst the fishermen community.

The families of the arrested 16 fishermen and various Fishermen Associations have appealed to the Government of Tamil Nadu to secure the early release of these apprehended fishermen since they were only pursuing their livelihood in the Gulf of Mannar area, where they have been fishing all along. The Sri Lankan Government has always assured us in various bilateral meetings that Indian fishermen who are apprehended while fishing will be released expeditiously without prolonged legal hurdles.



I, therefore, request you to kindly urge the Sri Lankan authorities to immediately release the 16 fishermen with their 3 boats without filing any cases against them.

I solicit your urgent action in this regard.

★ ★ ★

**Request to Amend the Changes
Notified by UPSC Regarding
Civil Services Examination**


D.O. letter dated 13.03.2013

I invite your kind attention to the recent changes notified by the Union Public Service Commission in the scheme of the Civil Services Examination for the year 2013 onwards. These changes are highly discriminatory and appear to be calculated to bias the system against Civil Service aspirants from non-Hindi speaking regions of the country.

There are four major changes in the pattern of examination which adversely affect the interests of students from Tamil Nadu, particularly those from rural backgrounds. First, students who have had Tamil as their medium of education up to the high school level and who have subsequently done their graduation in the English

medium earlier had the option of writing the Civil Service Examination in Tamil. This option has been removed with a new stipulation that the Main Examination including optional papers can be written in the Tamil medium, only if the candidates had studied in that medium up to the graduation level. This denies them the opportunity to write the examination in their mother tongue Tamil. However, there is no such stipulation for candidates who wish to appear in the Hindi medium. Considering that both Tamil and Hindi are languages included in the 8th Schedule of the Constitution, this clearly discriminates against not just Tamil speaking candidates, but against all candidates from the non-Hindi States, and in particular against rural students from the SC/STs, BC&MBC & other marginalised sections of the population who would have had their mother tongue as the medium of instruction up to the school level. This is violative of Articles 14 and 16 of the Constitution of India and places such candidates at a disadvantage when compared to those students writing the examination in English or Hindi.

The second objectionable and discriminatory change is that candidates wanting to opt for the literature of a




language as their optional paper can do so only if they had studied the literature of the language at the graduation level as the main subject.

This is not just discriminatory but also illogical since such a stipulation has not been made for any other optional subject. Therefore, a student graduating in Mathematics can take History as an optional, but not Tamil Literature. This is illogical, discriminatory and unfair.


The third change notified by the Union Public Service Commission is that unless there is a minimum of 25 candidates opting for a particular language medium, those candidates will have to write the examination in English and Hindi only. This is inexplicable, discriminatory and violative of the Constitutional right to equality.

The fourth change is to remove the compulsory qualifying paper in an Indian language and the inclusion of an English composition and précis writing section as an evaluated portion of the Essay paper instead of the qualifying English paper. This change also clearly favours urban, English educated candidates and acts against rural students belonging to disadvantaged sections.



The changes made by the UPSC are invidious, discriminatory and militate against the federal nature of our polity and the constitutional equality bestowed upon regional languages like Tamil which are part of the 8th Schedule of the Constitution of India. These changes clearly infringe on the Right to Equality in Public Employment enshrined in Article 16 of the Constitution of India. They work to the disadvantage of students coming from rural backgrounds who have studied in their native tongues at the school level and pursued higher education in another medium. All regional languages should be accorded equal status in a federal structure and aspirants to the Country's civil services should have the option to take the examination in any language, particularly their mother tongue, listed in the 8th Schedule of the Constitution.

I apprehend that these retrograde changes brought in by the Union Public Service Commission without adequate consultation with the State Governments are undemocratic and unilateral and will have the effect of unfairly denying the youth of Tamil Nadu their fair chance of representation in the Civil Services, and ultimately, hamper the governance of the country.



I urge you to intervene in the matter and prevail on the Union Public Service Commission to reconsider these invidious, unfair and discriminatory changes made in the scheme of the Civil Services Examination.

May I request an early response in the matter as it affects the future of several thousand young Civil Service aspirants in the State of Tamil Nadu?

★ ★ ★




**Demand for Intervention
to stop Harassment of Indian Fishermen
by Sri Lankan Navy**



D.O. letter dated 14.03.2013


It has been brought to my notice that 9 Mechanized Fishing Boats of Tamil Nadu with 53 fishermen onboard, which ventured into the sea for fishing on 13-3-2013 from Rameswaram fishing base, were apprehended by the Sri Lankan Navy and taken to Thalaimannar and Delft Island, and are now being kept in their custody. This incident of apprehension is another instance of the increasing intolerance of the Sri Lankan Navy towards the hapless fishermen of the Palk Bay area of Tamil Nadu who have no other alternative but to fish in the narrow Palk Bay fishing grounds that are further restricted by the unilateral drawal of the International Maritime Boundary Line, drawn without the consent of the Government of Tamil Nadu or its fishermen.



You will agree with me that solutions to the fishing disputes between two neighbouring countries are not resolved by force or by treating the fishermen of the neighbouring country as ‘criminals’ and arresting and terrorizing them through assaults and gun firing. However, the increasing belligerence of Sri Lanka in the recent past towards the Indian fishing boats fishing in their traditional fishing areas, as exhibited by a spurt of arrests and violence, is a worrisome trend.

The Government of Tamil Nadu, under my leadership, has challenged the issue of unilateral drawal of the IMBL leading to the ceding of Katchatheevu to Sri Lanka before the Hon’ble Supreme Court. We are agitated by incidents of repeated capture of our fishermen while pursuing their livelihood. We expect the Government of India to also respond and react pro-actively when incidents of this nature happen. Let Sri Lanka not be emboldened by your silence and construe it as a sign of weakness and indifference towards our fishermen.

I request you to urgently summon the High Commissioner of Sri Lanka in New Delhi and lodge the Government of India’s strong protest against the continuing



arrests and incidents of violence against the fishermen of Tamil Nadu, including the recent incident of firing on an innocent fisherman. I also request you to advise the Sri Lankan Government to release the arrested fishermen of Rameshwaram without foisting any criminal cases and desist from future provocations through needless arrests and acts of violence.

I once again wish to convey my strong disapproval of the high handed attitude of Sri Lanka and seek your urgent intervention in this regard.

★ ★ ★




**Objection to Western Ghats Ecology
Authority**



D.O. letter dated 15.03.2013


I wish to draw your attention to a matter of great importance concerning the powers of State Governments to manage ecologically sensitive areas within their own boundaries. The Hon'ble Minister of State (Independent Charge), Environment and Forests, Government of India, sought the views of the Government of Tamil Nadu on the report of the Western Ghats Ecology Expert Panel (WGEEP). This report inter alia, recommends the establishment of a Western Ghats Ecology Authority (WGEA) at the National Level with regulatory powers for approval of new projects, to issue directions to State Governments, among other things.

I would like to state emphatically that the creation of the said Authority is a gross assault on the powers of



State Governments to administer ecologically sensitive areas situated within their own geographical boundaries in the name of environmental scrutiny. It seeks to create yet another redundant super body at the national level to take on and perform functions of State Institutions in the Agricultural, Forestry, Environmental and other sectors and also act as an appellate body with the authority to give directions to the State Governments. Land is a subject which comes under the State List under the Constitution of India. Any attempt by the Government of India to assume powers to regulate policy with regard to land use, developmental activities under various sectors and power to approve new projects, etc., and issue directions in the name of environment is uncalled for and can only be viewed as an encroachment on the sovereign powers of the State Governments.


I also wish to point out that Tamil Nadu has been a frontrunner in the field of nature and environmental conservation. We have enacted and implemented very stringent and effective Acts and regulations for conservation in general and for the conservation of Hill Areas, including the Western Ghats, in particular. Further,



the Hill Area Conservation Authority at the State level enforces the regulations on land use in notified Hill Areas which cover the entire Western Ghats also in the State. Further, the State is scrupulously implementing various Central Acts regarding Environment and Forests with due emphasis on the conservation of the Western Ghats area. It is relevant to point out here that the Panel report contains no materials to make out any case for any shortcoming in the conservation of the Western Ghats in Tamil Nadu.

The present status of the various sectors in the State was examined vis-à-vis the recommendations of the WGEEP and it is amply clear that the State is already enforcing the implementation of the necessary regulatory mechanisms to ensure proper conservation of the Western Ghats in an integrated manner.

It is pertinent to point out that Tamil Nadu State has three Tiger Reserves, three National Parks and eight Wildlife Sanctuaries located in the Western Ghats, which are admirable models of ecological conservation. Further, Tamil Nadu is a State which has the distinction of the lowest extent (only 4416 Ha out of 2287700 Ha) of forest area diverted for non-forest purposes under the Forest



(Conservation) Act 1980, during the last 33 years. Our commitment to and record of ecological protection and forest conservation are impeccable.

In these circumstances, the State is of the view that yet another regulatory mechanism in the form of the WGEA as proposed by the Western Ghats Ecology Expert Panel will only erode the authority of the State Government and create an unnecessary layer of authority in the name of conservation. For these reasons, the State strongly reiterates that the creation of the proposed Authority is totally unnecessary, both in terms of federal principles and in terms of ecological governance needs. I wish to add that the detailed views of the State on the recommendations of the WGEEP are being sent separately by the Environment and Forests Department to the High Level Working Group headed by Dr.K.Kasturirangan.

★ ★ ★ ★ ★ ★ ★ ★





**Seeking Support for the US Sponsored
Resolution Against Genocide
by Sri Lankan Government**





D.O. letter dated 18.03.2013

As you are aware, Tamils in Tamil Nadu and the Tamil diaspora spread across the world are legitimately outraged and incensed over the impunity with which the Sri Lankan Government is ignoring international sentiments and binding resolutions relating to reconciliation and accountability for the war crimes and genocide committed in the closing stages of the civil war in Sri Lanka and the ongoing gross human rights abuses. To assuage the legitimate sense of outrage and deeply hurt sentiments it is absolutely important that India takes a strong stand in support of the US sponsored Resolution in the 22nd Session of the UN Human Rights Council and more importantly moves necessary independent amendments to further strengthen the Resolution.




You would recall that I had presented a Memorandum to you on 14.6.2011 and written to you on 25.6.2011 bringing to your notice the Resolution of the Tamil Nadu Legislative Assembly dated 8.6.2011 which had called upon the Government of India to take up the issue of war crimes committed against Sri Lankan Tamils and also called for an economic embargo on Sri Lanka till the Tamils are fully resettled and are allowed to live with dignity and with equal constitutional rights as their Sinhala counterparts.

Subsequently, I had written to you on 29th February, 2012, and 6th March, 2012, to urge that India take a strong stance in support of the Resolution on Promoting Reconciliation and Accountability in Sri Lanka in the 19th Session of the UN Human Rights Council. Based on the strength of the public sentiments in Tamil Nadu, conveyed through the Tamil Nadu Legislative Assembly's Resolution and through my communications, the Government of India supported Resolution 19/2 in the 19th HRC. Resolution 19/2 which called upon the Sri Lankan Government to implement the constructive recommendations of the Lessons Learnt and Reconciliation Commission's (LLRC) report was relatively mild since the LLRC report itself has




been viewed as a flawed report not covering many of the points contained in the UN Secretary General's Panel of Experts Report. It is pertinent to point out that the Report itself was toned down at the instance of the Government of India which itself is a betrayal of the Tamils.

Mr. Prime Minister, a full year has passed since that Resolution and the events and developments of the past year in Sri Lanka, as evidenced by the report of the Office of the UN High Commissioner for Human Rights, are a continued and sorry saga of human rights violations against the Tamils in that country. The report of OHCHR indicates that Sri Lanka is yet to act on many of the recommendations contained in the LLRC's report and it has not given access to the special procedures mandate holders. The report also notes that much needs to be done in the area of justice, reconciliation and resumption of livelihoods and notes the continuance of serious human rights violations against the Tamils. They continue to suffer as second class citizens. They are still often expelled from their homes and subjected to harassment, discrimination and torture. There is no indication that the Sri Lankan Government's obduracy in resisting a fair investigation into the genocide and war crimes has ended. There is no evidence to show



that there is either a conscious policy on demilitarization or withdrawal from Tamil civilian lands. There is no credible policy of rehabilitation and reconstruction of the Tamil livelihoods. Clearly the present government in Sri Lanka is not keen on genuine reconciliation or even to allow the Sri Lankan Tamils to be rehabilitated, let alone start life as equal citizens in that country, which is reflected in the lack of adequate action even on a relatively mild UNHRC Resolution.


At this juncture, the ongoing 22nd session of the Human Rights Council is the most appropriate forum and occasion to mount further pressure on Sri Lanka to ensure that accountability is established under an international framework for the war crimes and genocide committed in the closing stages of the civil war and the ongoing gross human rights abuses. This is all the more important in the light of the mounting fresh independent evidence of atrocities committed by the Sri Lankan Armed Forces. It is also an opportunity to secure for Sri Lankan Tamils equal constitutional rights and a life of dignity. It is very important that Sri Lanka is held to account on this occasion and India plays a crucial role in this regard, given not only the deep and widespread sentiment prevailing amongst



all sections of Society and shades of political opinion in Tamil Nadu, but also the need to establish India as a global leader standing up for democracy and human rights.

I am dismayed that the statements made by you and the External Affairs Minister in the past few days appear equivocal and prevaricating. They do not give a clear indication of India's stance, particularly with reference to the genocide which has taken place in Sri Lanka resulting in enormous loss of innocent, civilian lives and gross violation of human rights. It was disappointing that India had maintained a deafening silence when the US sponsored draft was taken up for discussion in the on-going UNHRC session. India must take a strong, historic and courageous stance in this matter and not just support the U.S. sponsored Draft Resolution on Promoting Reconciliation and Accountability in Sri Lanka, but strengthen it further through suitable amendments that would make the Resolution unambiguous in intent and effective in implementation:

- In the preambular para 5 (PP5) seek a mention of the UN Secretary General's Panel of Experts report in addition to the LLRC report.
- In PP9 strengthen the language from expression of



“concern” to “serious concern and dismay” at the reports of the continuing violations of human rights.

- In PP10 strengthen the language to “condemnation” of the failure of the Sri Lankan Government to fulfill its public commitments including on devolution of political authority.

- In operative para 1, there should be an unequivocal call for a credible, independent, international mechanism to prosecute genocide, war crimes and war criminals and the accused should stand trial before an International Court. This process should be completed within a period of six months and the outcome reported for a special discussion in the 25th session of UNHRC in 2014.

- In operative para 2 there should be an insistence that the OHCHR report be implemented in its totality.



- In operative para 3 there should be a strong call to the Government of Sri Lanka to accept the establishment of an impartial, international institution to initiate credible and independent actions to ensure justice, equity, accountability, including investigation of violations of international law and reconciliation of all Sri Lankans, including Tamils. This should include Sri Lanka providing

a pragmatic political package to the Sri Lankan Tamils and restoring their equal rights of citizenship on par with the Sinhalese Community.



I request you to kindly immediately instruct Indian diplomats to strongly push for these independent amendments to strengthen the US backed Resolution in the 22nd Session of the UNHRC since the final draft is to be placed for consideration of the Council on 19th March, 2013. Further, India should also mobilize the support of other member nations, particularly those who are opposed to the resolution and are lobbying to water down or nullify the impact.

Mr. Prime Minister, I hope that at this historic moment, the Government of India will decisively step forward as a champion of human rights and democracy and take a bold stand in support of the much discriminated against and long suffering Tamil minority in Sri Lanka and thereby demonstrate its empathy and solidarity with the millions of Tamils both in Tamil Nadu and elsewhere and assuage the legitimate sense of outrage amongst them.

★ ★ ★ ★ ★ ★ ★ ★


**Conferring the Cancer Institute,
Adyar, with National Status of
'Centre for Excellence'**

D.O. letter dated 21.03.2013

I would like to draw your attention to a pending request of the Cancer Institute, Adyar, Chennai, which has applied for upgradation during the 12th Plan period, as a “Centre of Excellence - an Autonomous National Cancer Research Institute” for treatment of cancer. I understand that the proposal is pending with the Ministry of Health and Family Welfare, Government of India.

The Cancer Institute was founded in 1954 as a voluntary charitable institution under the inspiring and legendary leadership of the Late Dr.Muthulakshmi Reddy. The Cancer Institute, Adyar, is a Non Governmental Institution which the Government of Tamil Nadu has been assisting for over three decades by a maintenance grant.




As a Referral Cancer Centre, it provides yeoman service to needy cancer patients from all over India.

The Government of India has so far provided meagre support to this Institute through the Tertiary Cancer Centre Scheme under the National Programme for Prevention and Control of Cancer, Diabetes, Cardio-vascular Diseases and Stroke (NPCDCS) by way of a grant of Rs.4.80 crores for equipment purchased in the year 2011-12. The State Government released a sum of Rs.1.20 crores as the State's share for this.

Considering the excellent service rendered by this Institution for over 3 decades, even while functioning as an NGO, I consider that its status should no more be that of a Tertiary Cancer Institute, but requires to be elevated to the status of a “Centre of Excellence – an Autonomous National Cancer Research Institute”.

I, therefore, request that the proposal of the Chairperson, Cancer Institute, Adyar, for upgradation of the centre as a National Centre, pending with the Ministry of Health and Family Welfare, be approved to enable this reputed Cancer Hospital in Chennai to expand and



strengthen its capacity to treat cancer patients in larger number, as a National Institute.

I recommend that the Cancer Institute, Adyar, one of the oldest NGO run Cancer Hospitals in the country be conferred with National status as “a Centre of Excellence”, particularly when it has been rated by the World Health Organisation (WHO) as the “Top Ranking Centre” in the Country.

May I request a line in reply?

★★★★★





**Objecting to India's Participation
in CHOGM in Colombo**




D.O. letter dated 25.03.2013

You would recall that I had written to you on 18th March, 2013, conveying the deep sense of outrage amongst Tamils all over the world and particularly, in Tamil Nadu, over the issue of war crimes and genocide perpetrated against Sri Lankan Tamils by the Sri Lankan army in the closing stages of the civil war. There are also continuing instances of human rights abuses against the Tamils in Sri Lanka, who continue to be ostracized as second class citizens in their own land.


There was considerable and broad based support for a strong resolution condemning Sri Lanka for the genocide and asking for an independent, international mechanism to investigate those accused of war crimes and genocide and to bring them to book. I had suggested that India should not only support the US moved resolution but should also



move amendments to further strengthen the resolution. As it transpired, India voted in favour of a diluted and weak resolution moved by the US and did not move any amendments to condemn the genocide or to urge the establishment of an independent, international inquiry into the war crimes. There was widespread disappointment at this stand of the Government of India and a continuing sense of injustice in Tamil Nadu on this issue.


In the meanwhile, it is reported that the biennial Commonwealth Heads of Government Meeting (CHOGM) and the Leaders' Retreat is proposed to be held in Colombo from 15th to 17th November, 2013.

In the present context, holding such a high profile international event, which will be attended by heads of government from across the world would amount to endorsing the present regime in Sri Lanka, which stands accused of committing genocide, war crimes and ongoing human rights abuses against Sri Lankan Tamils. This regime, which continues to deny Tamils their legitimate human rights, equality and democratic freedom, far from upholding Commonwealth values, has clearly violated the central credo of the Commonwealth, which is democracy and human rights. Nations have been suspended from the Commonwealth for far less.



Mr. Prime Minister, the proposed CHOOGM in Colombo is another opportune occasion for India to mount further pressure on Sri Lanka to ensure that accountability is established under an international framework for the war crimes and genocide committed in the closing stages of the civil war and the ongoing gross human rights abuses. In the light of the fresh, mounting evidence of atrocities committed by the Sri Lankan military the Conference presents another opportunity to secure for Sri Lankan Tamils equal constitutional rights and a life of dignity. India must play a crucial role in this regard, given not only the deep and widespread sentiment prevailing amongst all sections of society and shades of political opinion in Tamil Nadu, as well as at the national level by many Opposition parties, but also the need to establish India as a global leader standing up for democracy and human rights.

It has also been widely reported that Canada has already indicated that it is likely to boycott the CHOOGM in Colombo over the issue of gross human rights violations of the Sri Lankan Government. The House of Commons Committee on Foreign Affairs in the United Kingdom has also urged the British Prime Minister not to attend the CHOOGM in Colombo. Clearly, many important countries




across the world, including two G-8 countries, propose to leverage the proposed CHOGM in Sri Lanka and make substantial progress in human rights issues in Sri Lanka.

As an emerging great power and an aspirant for a permanent seat in the United Nations Security Council, India has a duty to ensure that the values of democracy and respect for human rights are upheld anywhere in the world and in particular in its neighbourhood. As a leader in South Asia, India is uniquely positioned to exert the maximum influence on the Sri Lankans to accept an independent international mechanism to hold those who committed genocide and war crimes to account.

Mr. Prime Minister, there is still time to consider even an alternative venue to hold the event. India should use this opportunity to ask that the venue for the CHOGM be shifted to another country. If India takes this diplomatic initiative there is likely to be broad based support amongst member countries of the Commonwealth.

In any event, any high level participation or engagement from the Indian side in the CHOGM will not only embolden the Sri Lankan regime but also incense public opinion and sentiment in Tamil Nadu on this very sensitive issue even further. I would, therefore, strongly



urge you not to attend the CHOGM and the Leaders' Retreat proposed to be held in Colombo on November 15 to 17, 2013.

Mr. Prime Minister, I write to you in the hope and expectation that the Government of India will decisively step forward as a true champion of human rights and democracy and will launch a strong diplomatic initiative in support of the much discriminated against and long suffering Tamil minority in Sri Lanka. At the very least, India must stay away from the CHOGM to be held in Colombo and, thereby, exert pressure on Sri Lanka to do justice by its hapless, much exploited Tamil Minorities. By doing so, India would also demonstrate its empathy and solidarity with the millions of Tamils both in Tamil Nadu and elsewhere and assuage the legitimate sense of outrage amongst them against Sinhala excesses against Sri Lankan Tamils.

★ ★ ★ ★ ★ ★ ★ ★




**Objection to Sri Lankan IPL Players
Playing in Chennai**



D.O. letter dated 26.03.2013

I am writing to you on a matter of urgency and importance connected with the Sri Lankan Tamils issue. The recent continuous agitations in Tamil Nadu during the debate in the UNHRC have revealed the great angst and anguish amongst the people of Tamil Nadu with regard to this highly emotive issue. In this surcharged atmosphere the IPL cricket tournament is scheduled to be held at various locations including Chennai from 3rd April, 2013 onwards and will go on for over a month till the 26th May, 2013. I understand that almost all the participating teams have in their ranks Sri Lankan cricketers as their team members.


You are aware that the civil strife in Sri Lanka is a lamentable saga of an ethnic pogrom launched by the



Sri Lankan Government, using Sri Lankan Army against Tamils, which resulted in the commission of genocide against a defenceless civilian Tamil population and the decimation of thousands of innocent women and children. These human rights violations have been extensively documented in the international media and internationally condemned.

These painful events of genocide of innocent Sri Lankan Tamils have had a deep impact amongst the people of Tamil Nadu, who have been severely shocked, pained and angered by these barbaric acts. Recently, against the background of increasing and credible evidence of continuing atrocities against Sri Lankan Tamils, Tamil Nadu witnessed mass agitations, hunger strikes, self immolations and the large scale spontaneous involvement of many sections of Society, including the student community, protesting against the Sri Lankan action against the Tamils.

I have also been regularly writing to you protesting against the repeated and unprovoked attacks by the Sri Lankan Navy on innocent Tamil Nadu fishermen on the high seas, which have caused the deaths of and injuries




to scores of Tamil Nadu fisherfolk. Understandably, their sentiments, too, have been hurt by these brutal and hostile acts of the Sri Lankan Navy.

All political parties in Tamil Nadu have repeatedly voiced their grave concern regarding these issues. The atmosphere is, therefore, already surcharged with a groundswell of popular public opinion against the Sri Lankan Government.

In such a hostile and tense environment, we apprehend that the participation of Sri Lankan players in the IPL tournament, with many games to be played in Chennai, will aggravate an already surcharged atmosphere and further offend the sentiments of the people.

In view of the popular antipathy and anger in Tamil Nadu against the actions of the Government of Sri Lanka, the Government of Tamil Nadu is of the view that IPL matches involving Sri Lankan players, umpires and other officials should not be played in Tamil Nadu. The BCCI may be advised by the Government of India to prevail upon the IPL organizers not to allow Sri Lankan players, officials, umpires and support staff to take part



in the tournament in Tamil Nadu. The Government of Tamil Nadu will permit IPL matches to be held in Tamil Nadu, only if the organizers provide an undertaking that no Sri Lankan players, umpires, officials or support staff would participate in these matches.

I would be grateful for a line in reply in this matter.

★ ★ ★ ★ ★ ★ ★ ★




**‘Restrain Karnataka from Move
to Divert Pennaiyar River**





D.O. letter dated 27.03.2013

I am writing this letter to you in continuation of my D.O. letter dated 19.5.2012 seeking your intervention in advising the Government of Karnataka to stop forthwith the execution of any Check Dams or diversion structures etc., across the Inter-State river Pennaiyar.

The media had widely reported that the Government of Karnataka has constructed a diversion structure at Mugalur in Karnataka limits for diversion of water through a canal to feed Lakkur tank for irrigation. This act of Karnataka will affect the flows in the river considerably and will severely affect the irrigation in Tamil Nadu depending upon the waters of the Inter-State river Pennaiyar.





Under the circumstances, I once again seek your kind intervention in the matter and request you to advise the



Government of Karnataka to stop any construction activity across the river Pennaiyar immediately and not to venture upon any schemes in the Pennaiyar river without the prior consent of Tamil Nadu.

I look forward to your immediate positive response in this matter.


★ ★ ★ ★ ★ ★ ★



**Concern over Isolation of Tamil Nadu
in Kerosene Allotment**



D.O. letter dated 09.04.2013

I write to bring to your notice another instance of arbitrary, unfair treatment meted out to Tamil Nadu by the Government of India, this time in the allotment of kerosene for the Public Distribution System. You would recall that I had already written to you on 1.6.2011, 25.5.2012 and 10.6.2012, protesting against earlier reductions in the monthly allotment of kerosene to Tamil Nadu and requested you to allot 65,140 KL per month, which is the actual requirement of the State. This request was also included in the Memorandum that I had submitted to you in person on 14.6.2011.

Even while all these requests were pending examination in the Government of India, as acknowledged by your own office, it is extremely distressing to find that the Ministry




of Petroleum and Natural Gas has persisted in repeatedly reducing the allotment of kerosene to Tamil Nadu.

It has gone down from 52,806 KL per month fixed from the April-June, 2011 quarter to 44,576 KL in the January-March, 2012 quarter and was further reduced to 42,460 KL in the April-June 2012 quarter. It has further gone down to 39,429 KL per month from the July-September, 2012 quarter onwards.

I am shocked to learn that now, in the latest order dated 20th March, 2013, this already very low level of allotment has been further drastically slashed to 29,060 KL per month for the April - June, 2013 quarter. This reduction is the biggest cut imposed on any of the States. Tamil Nadu has been singled out for such a drastic reduction. The allotment of kerosene to most other States has been maintained at former levels with virtually no reduction.


The process of allotment of kerosene is totally opaque and arbitrary. The basis and rationale of the allotment is not shared with the States nor is it based on any data which the States provide. It would only be fair that if the allotment is based on information provided by oil



marketing companies, such information should also be shared with the State Governments to enable them to make timely representations or corrections. It is learnt that a large number of LPG connections have been given in other major States also, and in some cases, more than in Tamil Nadu in the period from April to December 2012. However, there has been no reduction in the kerosene allotment for those States.

Given the arbitrariness and opacity that characterises the kerosene allotment decisions and the lack of any specific reasons that have been cited for the drastic reduction in the allotment for Tamil Nadu, all this leads me to wonder why Tamil Nadu is being targeted for such unfair and vindictively harsh treatment by the Ministry of Petroleum and Natural Gas. Is the Government of India punishing Tamil Nadu for running one of the most efficient Public Distribution Systems in the country?

The unjust and arbitrary under-allocation of kerosene by the Government of India to Tamil Nadu to the extent of more than 55% against the actual requirement is penalizing the poor people of Tamil Nadu who are being deprived



of their eligible entitlement of kerosene by the capricious cuts in the allocation of kerosene to the State.

I request your urgent and decisive intervention in this matter to undo the injustice done to Tamil Nadu and to allot the entire requirement of 65,140 KL of kerosene per month. As an immediate interim measure, I request that the Government of India should at least restore the allotment to 52,806 KL per month, which was the level of allotment for the April-June, 2011 quarter.

May I request an early response in this regard?

★ ★ ★ ★ ★ ★ ★





**‘Route Direct Benefit Transfer Scheme
through State Government’**




D.O. letter dated 27.04.2013


I understand that the Government of India has decided to operationalise the Second Phase of the Direct Benefits Transfer Scheme from 1.7.2013. Three Districts of Tamil Nadu, Ariyalur, Pudukottai and Tiruchirappalli are proposed to be included in Phase I of the rollout of the Direct Benefits Transfer. I wish to convey my strong objections to certain aspects of the Direct Benefits Transfer and the manner of its operationalisation since they are clearly intended to bypass democratically elected State Governments. They fly in the face of federalism and democratic decentralization. They insidiously seek to secure for the Government of India unnecessary influence and authority over the finances of the States.

I wish to point out to you that as one of the most progressive and well governed States in the Country, the Government of Tamil Nadu has already adopted



the mechanism of Direct Cash Transfer, through bank accounts of the beneficiaries, for schemes which involve conditional cash transfers like Scholarships, Maternity Benefits, Social Security Pensions etc on its own initiative. However, we have serious reservations about the Direct Benefits Transfer model adopted by the Government of India and now sought to be superimposed upon us. To begin with, we are strongly opposed to any move to monetize and transfer in cash the subsidy element under the Public Distribution System, and fertilizer, kerosene and LPG subsidies etc, where not just the quantum of subsidy, but the access to and timely availability of commodities is a critical concern.

We are equally opposed to the direct transfer of cash to the bank accounts of the beneficiaries by the Government of India bypassing the State Government altogether. This is neither an administratively sound practice nor in keeping with the spirit of federalism and democratic decentralization enshrined in the Constitution. Having the field machinery of the State Government carrying out the entire process of identification and verification, while the releases are done directly by the Government of India, will result in divorcing authority from responsibility and




accountability. This model also violates a basic tenet of sound administration, which is that authority, responsibility and accountability have to be fused together at the same level in order to ensure effectiveness and efficiency. Hence the proposed mechanism will not lead to sound outcomes.

We find that the Union Planning Commission has issued a series of instructions and guidelines on a number of conceptual and operational issues relating to Direct Benefits Transfer, with virtually no consultation with the State Governments. Once decisions are taken and the scheme is finalized unilaterally by the Central Government, the States are required only to place their field machinery at the disposal of the Government of India to implement the mechanism. Are the State Governments expected to look on as mere bystanders, far removed from the process of administering the scheme, after having placed their entire field machinery at the disposal of the Government of India? This is clearly an infringement of the authority of the State Governments and totally violative of the federal polity of the Country and the spirit of democratic decentralization.

We also have a number of reservations about the scheme design of the 25 schemes currently identified

for the Phase II roll-out. We find that many of them are either pilot schemes implemented only in a few blocks or Districts in each State, or the amount of benefit sought to be transferred is very small and insignificant. Some of the schemes currently identified for the Phase II roll-out are schemes wherein the Centre and States share the cost and the respective shares are released to a Special Purpose Vehicle, which in turn releases it to the beneficiaries. In such cases, if the Government of India insists on Direct Benefits Transfer for its share, it will lead to more confusion and accountability is bound to suffer. The Janani Suraksha Yojana scheme is a clear case in point.


There are schemes like the Indira Gandhi Matritva Suraksha Yojana, which attempts to replicate a State scheme in Tamil Nadu namely, the Dr. Muthulakshmi Reddy Scheme, which provides a far higher benefit and much wider coverage. In such cases, direct release by the Government of India will lead to duplication and waste of resources and fall far short of the scale and range of benefits of the State scheme. In such circumstances, it would be administratively prudent to leave the implementation to the State, as is being done now, instead of trying to run a parallel and inadequate scheme directly by the Government of India in the name of Direct Benefits Transfer.



In the case of many scholarship schemes, the State Government meets the committed portion of the cost and the Centre reimburses the additional costs. In such cases, a beneficiary-wise demarcation of Central and State shares is not possible, and since the entire identification and verification process has to be done by the State Government machinery, Direct Benefits Transfer from the Central Government level does not seem prudent.

In these circumstances, the Direct Benefits Transfer Scheme, as presently envisaged by the Government of India, would become unmanageable and create more administrative problems than it is attempting to solve. It would also lead to lack of accountability. If the intention of the Government of India in introducing Direct Benefits Transfer into the bank accounts of beneficiaries is to ensure efficient delivery, then the Government of India should route its funds through the State Government, which is already progressively switching over to the bank mode of disbursement for all its beneficiary oriented schemes.

The Government of India should confine its role to monitoring implementation. I also strongly urge and reiterate that the Government of India should also give up its intention of moving to Direct Cash Transfer of subsidy



for crucial schemes like the Public Distribution System and fertilizer and kerosene subsidy.

Therefore, until our serious concerns are addressed, clarity is provided and a consensus is reached on the manner of transfer of resources to the State Government for disbursement to beneficiary bank accounts, the implementation of the Central Direct Benefits Transfer in its present form should not be operationalised in Tamil Nadu. I strongly urge you to move over to a Direct Benefits Transfer scheme through the State Government, which would not only make the roll out faster and more efficient but also enable this mechanism to be extended seamlessly to other schemes like Social Security Pension disbursement, which are not currently included in the list of 25 schemes to be covered at present. This would give the State Governments their rightful place as equal partners in the governance of the Country and not reduce them to becoming vassals in the structure of governance.

★ ★ ★ ★ ★ ★ ★ ★




**‘Implement Final Order of
Cauvery Water Tribunal in Full Spirit’**




D.O. letter dated 17.05.2013


You may recall that I had written to you on 22.2.2013 and 11.3.2013 to forthwith constitute the Cauvery Management Board and the Cauvery Water Regulation Committee as the commencement of the irrigation year is fast approaching. However, the Government of India has not shown the necessary alacrity in constituting the above machinery for the implementation of the Final Order, even though the said Final Order was published in the Gazette of India on 19th February, 2013.

On an application filed by my Government to direct the Government of India, Ministry of Water Resources, to constitute the Cauvery Management Board and the Cauvery Water Regulation Committee for the effective implementation of the Final Order of the Tribunal, the Supreme Court, in its order dated 10.5.2013, had recorded the submission of the Additional Solicitor General that “the follow up action pursuant to the notification dated

February 19, 2013, is under active consideration of the Central Government” and ordered the constitution of a Supervisory Committee under the Chairmanship of the Secretary to Government of India, Ministry of Water Resources, to ensure the implementation of the Final Order of the Tribunal till the Cauvery Management Board is constituted.

In my view this arrangement, at best, is only an interim arrangement and the Hon’ble Supreme Court in its order has also categorically stated that “the arrangement made herewith is purely pro term measure for the purpose of ensuring implementation of the Final Order of the Cauvery Water Disputes Tribunal dated February 5, 2007, notified vide Notification dated February 19, 2013”.

Therefore, I am of the firm opinion that the formation of the Cauvery Management Board and the Cauvery Water Regulation Committee as per the Final Order of the Tribunal would be the only lasting solution to end the travails and tribulations of the farmers of Tamil Nadu in the Cauvery Delta. Many lakhs of farmers of Tamil Nadu cannot be made to wait any longer for justice which has long been delayed to them as they face season after season of acute agrarian distress forced upon them by a neighbouring State.



To alleviate the misery of the farmers of Tamil Nadu, the Government of India should immediately take steps to operationalize the Tribunal's Final Order which has been Gazetted after a long delay of 6 years. Surely, the constitution of the Cauvery Management Board and the Cauvery Water Regulation Committee is a logical corollary of the notification of the Final Order and it cannot be delayed any further?

I, therefore, exhort you to order the Ministry of Water Resources to constitute the Cauvery Management Board and the Cauvery Water Regulation Committee without any further delay.

★ ★ ★ ★ ★ ★ ★ ★



**‘Take Urgent Measures
to Get Back Katchatheevu’**



D.O. letter dated 20.05.2013


I would like to inform you that the Tamil Nadu Legislative Assembly has passed a unanimous Resolution dated 3.5.2013 regarding the retrieval of Katchatheevu back to India. A copy of the Resolution is enclosed herewith.

In this connection I would like to recall that the 1974 Agreement signed between India and Sri Lanka by Smt. Indira Gandhi and Smt. Sirimavo R.D. Bandaranaike on 26-6-1974 had determined Katchatheevu as a part of Sri Lanka, and the islet was ceded by the Government of India unilaterally to Sri Lanka, without obtaining the approval of both Houses of Parliament for a Constitutional amendment in this regard. The stand of the Government of Tamil Nadu is that Katchatheevu has always been a part of India, geographically, culturally and historically and needs to be retrieved back, keeping in view the livelihood interests and security of thousands of Indian fishermen.

As the incidents of shooting, attacks against and harassment of Tamil Nadu fishermen by the Sri Lankan Navy continued unabated, I had, in my personal capacity, as General Secretary of the AIADMK, filed a W.P. (Civil) No.561/2008, before the Supreme Court of India in 2008 to consider the 1974 and 1976 Agreements, which have been the root cause for the untold misery of Tamil Nadu fishermen, as null and void in the absence of the mandatory Constitutional amendment required and to retrieve Katchatheevu back to India. The matter is under the consideration of the Hon'ble Supreme Court of India.

After my Government assumed power in Tamil Nadu, in May 2011, the Tamil Nadu Legislative Assembly passed another Resolution unanimously on 3.6.2011, to implead the Revenue Department of the State in the Writ Petition W.P. (Civil) No.561/2008, filed before the Supreme Court of India in 2008.

In the background of continued attacks on the fishermen of Tamil Nadu and keeping in view concerns about the safety and security of the fishermen, the Tamil Nadu Legislative Assembly unanimously passed a Resolution on 3.5.2013 stating that, in view of the



legal invalidity of the 1974 and 1976 Agreements, the Government of India should take steps to retrieve back Katchatheevu and its surrounding areas.

I, therefore, request you once again to kindly take urgent measures to get back Kachatheevu and the surrounding areas from Sri Lanka. Further, the IMBL needs to be redrawn after the retrieval of Katchatheevu, which will enable our fishermen to carry on fishing in their traditional fishing waters without concerns of safety and security.

★ ★ ★ ★ ★ ★ ★




**An Appeal to Stop Further Disinvestment
or Dilution of Centre's Share in NLC**



D.O. letter dated 23.05.2013

I learn that there is a proposal to disinvest a further 5% of Government of India's equity holding in Neyveli Lignite Corporation (NLC) in order to meet an artificially placed regulatory requirement under the recently amended Securities Contracts (Regulation) Rules 1957.


As you are aware, the Neyveli Lignite Corporation (NLC) is the largest Central Public Sector Unit in Tamil Nadu. It was also the largest Central power producer located in a backward region of the State providing employment to more than 17,500 persons. The employees of NLC have a justifiable apprehension regarding any move to disinvest even a portion of Government of India's equity in the Company. Instead of reassuring the large work force, the concerned Ministry and the company management seem to be trying to justify the disinvestment based on specious and



artificial regulatory requirements. The State Government's co-operation is being sought to convince the labour unions to accept the proposed disinvestment. My Government has been consistently and strongly opposed to privatising any portion of the Neyveli Lignite Corporation (NLC) and we are of the firm view that the Public Sector character of Neyveli Lignite Corporation (NLC) should be maintained without any dilution. In this connection, I find that the Government of India is attempting to create an artificial regulatory crisis based on certain recent amendments to the Securities Contracts (Regulation) Rules, 1957. Quoting these rules as the basis for dilution in the Government of India's holding in Neyveli Lignite Corporation (NLC) is neither appropriate nor desirable.

Any proposal to disinvest even a small portion of the share holding will lead to considerable labour unrest. Given the current acute power shortage in the State, any disruption of power supply from Neyveli Lignite Corporation (NLC) would very adversely affect the interest of the State. Hence I strongly urge you to explore alternatives to the proposed disinvestment.

It is incorrect to state that there is no option to disinvesting a further 5% of the share holding in Neyveli



Lignite Corporation (NLC). There are clearly two options. Neyveli Lignite Corporation can be delisted by buying back the 6.44% currently in public hands through the buy back mechanism available under SEBI regulations. Alternatively, the Securities Contracts (Regulation) Rules, 1957, can be amended to make a special exemption for Neyveli Lignite Corporation (NLC) by introducing a necessary proviso under Rule 19(2)(c).

In these circumstances, I urge you to take necessary action to ensure that there is no further disinvestment or dilution of the share holding of the Government of India in Neyveli Lignite Corporation (NLC).

I would be grateful for an early response in this regard.

★ ★ ★ ★ ★ ★ ★ ★




**Demanding a Permanent Solution to the
Harassment of Tamil Nadu Fishermen
by Sri Lankan Navy**




D.O. letter dated 06.06.2013

I wish to draw your attention to yet another outrageous incident of capture and arrest of 49 innocent fishermen from Tamil Nadu who ventured out in 10 mechanised boats on 5.6.2013 for eking out their livelihood on the high seas. It is reported that 24 fishermen belonging to Rameswaram set out in 5 boats and they have been illegally abducted by the Sri Lankan Navy and taken away to Mannar in Sri Lanka where they are being held in custody. Further, another batch of 5 boats from Rameswaram with 25 fishermen on board have been captured in the high seas and detained by the Sri Lankan Navy at Kayts Island. Further, it was also shocking to learn that one boat, TN 10/MFB/1004 which was chased away ruthlessly by the Sri Lankan Navy actually capsized and five fishermen on




board were rescued by their fellow fishermen and reached our shores safely.

I have repeatedly written to you about the travails of innocent Tamil Nadu fishermen who face harassment, abduction and assault at the hands of the Sri Lankan Navy, which continues with its menacing and predatory acts in the face of pusillanimous responses and apathy by the Government of India. Things have come to such a pass that fishermen from Tamil Nadu are unable to access their traditional fishing waters for fear of being kidnapped or attacked by the Sri Lankan Navy. The entire fishermen community in Tamil Nadu is agitated, incensed and in a volatile mood.

Despite my repeated protests, the Government of India has taken no firm stance in the matter and has exerted little or no diplomatic pressure on Sri Lanka to bring about a permanent solution to the problem of harassment and arrests of innocent fishermen from Tamil Nadu.

I request you to instruct the Ministry of External Affairs to immediately summon the High Commissioner of Sri Lanka in New Delhi and lodge the Government of India's strong protest against this latest act of illegal and highhanded abduction of such a large number of innocent





fishermen in the Palk Bay by the Sri Lankan Navy. The Government of India should convey in no uncertain terms its indignation at this latest act of abduction of innocent Indian fishermen and ensure that the Sri Lankan Navy is restrained from making such unprovoked assaults on innocent fishermen from Tamil Nadu.



May I also request you to firmly instruct our diplomats in Colombo to immediately take up the matter with the Government of Sri Lanka and secure the immediate release of the 49 fishermen and their boats?

I solicit your immediate action in the matter.

★ ★ ★ ★ ★ ★ ★

**Requesting Transfer of One – Horned
Rhinoceros Pairs to Arignar
Anna Zoological Park, Vandalur**





D.O. letter dated 18.06.2013

I am writing to you both in my capacity as Chief Minister of Tamil Nadu and also as the Chairperson of the Zoo Authority of Tamil Nadu.

Arignar Anna Zoological Park, Vandalur, is the largest Zoo in the Country and one of the largest in South-East Asia. More than two million visitors visit the Zoo annually. Arignar Anna Zoological Park, Vandalur, is categorized as a “Large Zoo” based on species diversity, number of endangered species and area. The Zoo is known for following modern captive animal management principles in its day to day administration.

The Zoo has in its collection, 1400 individual animals consisting of 143 species. The greater one-horned rhinoceros was in our collection from 1985 to 1989.



The animal died in 1989 and after that there has been no representative of this magnificent animal in our Zoo. Considering the number of visitors to the Zoo and the popularity of the Indian rhinoceros it would be very fitting if Vandalur Zoo could once again have these animals in our collection. We have sufficient numbers of Indian gaur, which we can give in exchange to the Government of Assam.

The Indian gaur is one of our flagship species.

Hence, I request you to spare one pair of greater one-horned rhinoceros in exchange for one pair of Indian gaur.

★★★★★★




**Demanding Reconsideration of
Amendments to Food Security Bill**



D.O. letter dated 02.08.2013

The Union Government has unilaterally and hastily promulgated the National Food Security Ordinance, 2013. Though the Ordinance claims to provide Food Security to all, unfortunately, contrary to such a claim, there are several flaws in the Ordinance which have created serious apprehensions and actually raise the spectre of food insecurity for a State like Tamil Nadu. Many of these lacunae were already pointed out in my letter to you dated 20.12.2011 and have been reiterated by my Ministers and Officers in several meetings. Very disappointingly, and as has become the Central Government's wont, none of these serious concerns have been addressed in the hurriedly promulgated Ordinance.


Tamil Nadu has been successfully implementing a Universal Public Distribution System for the last several



decades, which has won accolades from several domestic and international observers including the Supreme Court of India. Through this system, the State has been able to address the issue of food security for all without exception. Historically, the system has been built on a combination of procurement of rice within the State and a reliance on assured allocations from the Central Pool of food grains.

To preserve this hard earned food security, it is essential to ensure that the present level of allocation of food grains from the Central Pool is retained without any diminution. Therefore, we had repeatedly requested that a proviso be inserted in the relevant clause of the Food Security Bill to protect the existing level of allocation of food grains for Tamil Nadu. I am deeply dismayed to find that the Ordinance as promulgated contains no such proviso.

Section 3(2) of the Ordinance envisages that nationwide, 75% of the rural population and 50% of the urban population are to be covered as households eligible for allocation of subsidized food grains. This is a totally arbitrary allocation principle with no rational basis. When the edifice of food security in a State is based on a much applauded Universal PDS, clumsy attempts at targeting




and arbitrary cut off points of this nature will severely compromise food security and cause great hardship to the people.

I just cannot comprehend how a lower level of allocation in urban areas can be justified. There is no food production in urban areas to supplement household consumption. In such a situation, the urban coverage should be 100 per cent or at least 75 per cent on par with rural areas. It should not be forgotten that the Public Distribution System was originally put in place to ensure affordable supply of food primarily in urban areas. Tamil Nadu with an urban population of 49 per cent has the highest level of urbanization amongst major States in the country and is going to be particularly hard hit by this ill-conceived and invidious discrimination against urban areas in the Ordinance.

What is even more galling is that Tamil Nadu is not likely to receive even the nationwide average allocation based on the population proportion. The Joint Secretary to GOI, Ministry of Consumer Affairs, Food and Public Distribution, Department of Food and Public Distribution, in a letter dated 26th July, 2013, to all State Governments

has indicated a State-wise break-up of the allocation and I was shocked to find that there is a further drastic reduction in eligible population in Tamil Nadu. Only 62.55% of the rural population and 37.79% of the urban population would be covered in Tamil Nadu. Arbitrarily chosen metrics have been applied to the data collected in the Large Scale Sample Survey of monthly Household Consumer Expenditure conducted by the National Sample Survey Organization in 2011-2012. Such a desk exercise based on a convoluted methodology completely ignores ground realities and pre-existing historical circumstances. The overall status of food production in the State, quantity retained by households for own consumption, the net surplus available for the market, and current reliance on the PDS are all crucial and relevant factors for food security which have been totally ignored in determining the State-wise allocation. The arbitrary allocation made is a huge penalty slapped on the better performing States which have provided greater Food Security to their entire population.


It is estimated that, as a consequence of the Ordinance, the monthly allocation of food grains for Tamil Nadu will decline by nearly 1 lakh tonnes from the present level



of 2.96 lakh tonnes. Preserving the Universal Public Distribution System in Tamil Nadu will then cost the State exchequer a net additional Rs.3000 crores per annum. An even graver concern is the uncertainty of availability, which would expose the State to higher vulnerability of physical shortage, especially during scarcity periods.

This will be compounded by the fact that Schedule-I of the Ordinance assures even the limited allocation of subsidized food grains only for a period of 3 years from the commencement of the Ordinance. There is no clear-cut indication on how the Union Government will maintain the level of subsidy on the supply of food grains to the States thereafter. This will only increase the uncertainty in ensuring food security over the long run and expose the State's finances to an even greater risk.


Further, Section 8 of the Ordinance requires State Governments to pay a food security allowance when food grains cannot be supplied. In the case of Tamil Nadu, such a situation will arise only when the Central Government fails to allocate and ensure supply of adequate food grains. This provision does not answer the fundamental question of making adequate food grains available. The provisions



contained in Section 23 are also inadequate to meet such a contingency.

Hence, I suggest that Section 23 should be amended to make it incumbent on the Government of India to take all necessary measures, including import of food grains when warranted, to ensure continued supply of food grains and not leave the States to fend for themselves after providing limited financial assistance.


The State Governments are also obliged under the first proviso to Section 10(1) to prescribe guidelines and complete identification of the eligible households within 180 days of the commencement of the Ordinance. As you are aware, the Central Government has taken up the Socio Economic Caste Census (SECC) in 2011 which should form the data base for an identification of households. This census process has not been completed and the data is yet to be shared with the State Governments in a final, usable form. It is learnt that the Government of India is yet to prescribe guidelines on the manner in which BPL families and eligible families are to be identified based on the SECC data base. In these circumstances, the requirement of finishing the identification of eligible households in six



months time is unrealistic and is bound to create many administrative difficulties, exposing the State Governments to needless criticism. Hence the first proviso to Section 10(1) may be deleted from the Ordinance.

Under these circumstances, I would scarcely be exaggerating if I stated that, for Tamil Nadu, this Ordinance is actually a Food Insecurity Ordinance. I have strong reasons to suspect that the Central Government is deliberately trying to create a Food Security crisis for Tamil Nadu, on the one hand by adopting arbitrary principles and formulae for allocation of food grains in the guise of the Food Security Ordinance, and on the other hand by acting against the interests of the State in receiving its due share of water in the River Cauvery which is crucial for paddy cultivation in the Cauvery delta.

Therefore, I strongly urge you that the design of food security for the Country needs to be reconsidered and the Ordinance in its present form must be replaced with a Bill which reflects our concerns adequately. The Government of India is duty bound to protect the food security of States like Tamil Nadu. Respecting federal and democratic principles, any such Bill should be passed only after a




detailed consultation with the States on the whole gamut of issues and after addressing specific concerns of different States and after adequate discussion in Parliament.

To this end, I strongly urge that the following amendments must be made in the Bill that is proposed to replace the Ordinance in Parliament:

1) There must be a foolproof and firm guarantee in the legislation through an appropriate clause in Chapter VIII of the Ordinance: “Obligations of Central Government for Food Security”, to ensure continued adequate level of allocation of food grains to States that are already implementing a Public Distribution System that delivers a higher level of coverage at the time of the commencement of the new legislation. This provision should ensure that the present total allocation of food grains to the State under the Antyodaya Anna Yojana, BPL and APL categories is not reduced.

2) The proportion of the urban population eligible under Section 3(2) must be increased from 50 per cent to cover the entire urban population.



3) The supply of food grains by the Central Government at the rate currently proposed in Schedule-I should be guaranteed, and not restricted for a period of only three years.

4) The difference between the State's current allocation of food grains, which is to be guaranteed by the proposed new legal provision, and the entitlement based on eligible families under Section 3(2) as proposed to be amended, should continue to be supplied at the differential price now applicable for APL allotment.

5) Section 8, Section 10 and Section 23 should also be amended appropriately as already indicated in earlier paragraphs.

Hence I strongly urge you to ensure that the concerns of Tamil Nadu are addressed through the inclusion of the appropriate amendments in the Bill that the Government of India intends to place before Parliament to replace the Food Security Ordinance.

★ ★ ★ ★ ★ ★ ★ ★



**Request to Stop Arrest of Tamil Nadu
Fishermen in Palk Strait**




D.O. letter dated 06.08.2013

I would like to invite your attention to my earlier letters dated 17.6.2013, 8.7.2013, 1.8.2013 and 2.8.2013 highlighting the plight of 70 innocent fishermen from Tamil Nadu who continue to languish in Sri Lankan jails. I had also sought your personal intervention at the highest diplomatic levels in order to secure their immediate release. In the absence of any action by the Government of India to secure their release by raising the issue with the Sri Lankan Government, these poor fishermen from Tamil Nadu still remain in Sri Lankan custody.

Even while they continue to remain in Sri Lankan jails, in yet another outrageous incident that took place on 3rd

August 2013, another 20 fishermen from Rameshwaram have again been abducted by the Sri Lankan Navy. This is the third time within a period of one month that fishermen from Tamil Nadu have been subjected to such highhanded acts of abduction and kidnapping at the hands of the Sri Lankan Navy. 5 Mechanised fishing boats bearing registration numbers IND/TN/10/MM/268, IND/TN/10/MM/865, IND/TN/10/MM/381, IND/TN/10/MM/708, IND/TN/11/ MM/325, which ventured out for fishing on 3.8.2013 from Rameshwaram base with 20 fishermen on board, have been apprehended near Katchatheevu by the Sri Lankan Navy and taken to Thalaimannar, Sri Lanka. They have been remanded to custody on 4.8.2013.


I have been repeatedly writing to you about the travails of innocent Tamil Nadu fishermen who face harassment, abduction, assault and apprehension at the hands of the Sri Lankan Navy, which continues its menacing and predatory acts in the face of the immobility and apathy of the Government of India to the plight of these innocent fishermen from Tamil Nadu. The ineffective response of



the Government of India has emboldened the Sri Lankan Navy to continue such predatory attacks on Indian fishermen with impunity.



I must also emphasise that these frequent abductions, arrests and detention for long periods of time of Tamil Nadu fishermen by the Sri Lankan Government, have created tension and agitation amongst the fishermen community in Tamil Nadu. The fishermen community in Tamil Nadu, which faces continuous harassment not only by the Sri Lankan Navy but also attacks by Sri Lankan miscreants in the guise of fishermen, now nurses a strong grievance against the Government of India that it has forsaken them in a time of crisis and is apathetic to their interests.

These continuous attacks and abductions are acts of an unfriendly nation and should be countered effectively by coercive diplomacy. A strong message should be delivered through diplomatic channels that India will not tolerate these attacks. Our diplomats in Colombo should take up the matter with the Government of Sri Lanka and take concrete steps to secure the immediate release of all the 90 fishermen who are now in Sri Lankan jails.





May I also request you to take immediate steps to initiate a diplomatic dialogue with the Government of Sri Lanka to immediately stop the recurrence of such incidents of arrest and harassment of Tamil Nadu fishermen in the Palk bay, which is their traditional fishing area from time immemorial? I solicit your personal and immediate intervention in this matter.

★ ★ ★ ★ ★ ★ ★ ★





**Requesting Necessary Steps to Include
All SCs in the Constitution Order List
Irrespective of Religion**


D.O. letter dated 09.08.2013

I had written to the then Prime Minister of India on 28th November, 1995, urging that Scheduled Caste persons professing Christianity should be included in the list of Scheduled Castes/Scheduled Tribes through an Act of Parliament, meeting the requirements of Articles 341(1) and 342(2) of the Constitution. The issue of inclusion of the Scheduled Caste Christians within the definition of the term Scheduled Castes has been the subject of repeated representations by Scheduled Caste Christian groups and protracted correspondence initiated by the Government of Tamil Nadu with the Government of India. The substantive grounds that I had listed in my first letter on this issue still hold good. In fact, they have been reiterated and endorsed by the National Commission for Religious and Linguistic




Minorities appointed by the Government of India, headed by Justice Ranganath Misra.

Tamil Nadu is one of the most progressive States in the Country in the matter of implementing policies and schemes for the uplift and empowerment of the Scheduled Caste population, including Scheduled Caste Christians. Under my leadership, the Government of Tamil Nadu accords the topmost priority to the welfare of the Scheduled Castes. We have been implementing an integrated and comprehensive programme for Scheduled Castes, including the provision of house sites, housing, amenities, drinking water supply, link roads, street lights and hut electrification, which is one of the best in the Country. Scheduled Caste students, including Scheduled Caste Christian students are also accorded benefits like Scholarships, Fee Concessions, Special Incentives for Scheduled Caste Girl Students, Supply of Free Text Books and study material, Note Books, Uniforms, Footwear, Bi-cycles, and Laptop Computers. As a result of these comprehensive policy initiatives, we have ensured the steady flow of benefits and opportunities for the development and growth of the Scheduled Castes in the State.



However, as a result of the restrictive nature of the definition of the term “Scheduled Castes” found in para 3 of the Constitution (Scheduled Castes) Order, 1950, as amended from time to time, the various welfare measures and policies designed for the Scheduled Castes have largely benefited only those amongst the Scheduled Castes who profess Hinduism, Sikhism and Buddhism. A sizeable population of Scheduled Castes who profess Christianity has been excluded and remains outside the purview of all the Centrally assisted welfare and ameliorative measures and most importantly is excluded from the benefit of reservation in educational institutions and employment in public services for the Scheduled Castes.

Since my Government is committed to a policy of affirmative action in favor of the Scheduled Castes, irrespective of creed or religion, we have done our utmost to implement schemes that will benefit Scheduled Castes converted to Christianity on par with other Scheduled Castes. The cornerstone of Indian democracy is secularism, which rests on the three pillars of equality, social justice and equity for all its citizens, without discrimination on the basis of caste, creed, sex or religion. The position




of Scheduled Caste persons belonging to the minority religions is very similar to Scheduled Caste persons professing Hinduism, Sikhism or Buddhism. Yet, they are being unfairly kept out of the purview of the constitutional scheme of protection and reservation envisaged by the Constitution (Scheduled Castes) Order, 1950.

The National Commission for Religious and Linguistic Minorities headed by Justice Ranganath Misra concluded that, on a careful examination of prevalence of the caste system among various sections of the Indian citizenry, caste is in fact a social phenomenon shared by almost all Indian communities irrespective of their religious persuasions. Many of the particular castes are found simultaneously in various religious communities, equally facing problems of social degradation and mistreatment both by their co-religionists and the others. The Commission further found that the Constitution of India prohibits any discrimination between citizens on the basis of caste, and yet it sanctions special affirmative measures for Scheduled Castes. At the same time the Constitution prohibits any discrimination on the ground of religion. The Commission concluded that any religion-based discrimination in selecting particular

castes for affirmative action will conflict with the letter and spirit of the Constitutional provisions.

The Constitution (Scheduled Castes) Order, 1950, issued by the President of India derives its sanction under Article 341 of the Constitution. The term “Scheduled Castes” has been defined in Article 366 (24) read with Article 341(1) as:


“Scheduled Castes means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes for the purposes of this Constitution”. It is apparent that the Constitution of India does not confine the category of Scheduled Castes to any select religion. By extending the benefits of positive affirmation to a certain category of persons and then to proceed to confine the benefits under the Constitution Order, 1950, to citizens professing only specified religions like Hinduism, Sikhism or Buddhism and excluding from its purview citizens professing other religions, is not only ultra vires Article 341 but also militates against the fundamental rights guaranteed by the Constitution to liberty of thought, expression, belief, faith and worship to all its citizens.



The Constitution (Scheduled Castes) Order, 1950, is not carved in stone. In the context of the changing nature of the socio economic structure of Indian Society since 1947, the Order can and must be amended so as to be in tune with the socio economic realities of modern day India. Continuing to keep the benefits of reservation in education and public services out of the reach of Scheduled Caste Christians because of the restrictive definition of Scheduled Caste found in the Constitution (Scheduled Castes) Order, 1950, is an ongoing injustice which must be ended forthwith.

The social tensions over the status of unbalanced growth between the Hindu Scheduled Castes and the Christian converts have only aggravated over time and the sense of alienation amongst the minority communities has further deepened. Therefore,

I wish to emphasize that the matter cannot brook any further delay. I, therefore, request that Scheduled Caste Christians be treated on par with Hindus, Sikhs or Buddhists, and should be included in the list of Scheduled Castes annexed to the Constitution (Scheduled Castes) Order, 1950. To enable this, as recommended by the



Ranganath Misra Commission, para 3 of the Constitution (Scheduled Castes) Order, 1950, must be deleted. Early disposal of the pending Writ Petitions in the Supreme Court filed by or on behalf of Scheduled Caste converts to Christianity challenging the validity of para 3 of the Constitution (Scheduled Castes) Order should also be ensured by the Government of India by filing its counter affidavit supporting the request of Scheduled Caste Christians.

Prompt action should now be taken by the Government of India to initiate the necessary statutory steps to include all Scheduled Castes irrespective of religion within the ambit of the status of Scheduled Castes listed in the Constitution (Scheduled Castes) Order, 1950, and bring in necessary legislation in the current session of Parliament.

★ ★ ★ ★ ★ ★ ★ ★





**Demanding Immediate Action on
Tamil Nadu Legislative Assembly
Resolution Urging CHOGM Boycott**





D.O. letter dated 12.11.2013

Kindly recall my letters dated 25.3.2013 and 17.10.2013 indicating that in view of the strong sentiments prevailing in Tamil Nadu against the war crimes and genocide perpetrated against Sri Lankan Tamils in the closing stages of the civil war in that country and the continuing human rights abuses and denial of basic dignity and equality to Sri Lankan Tamils, India should stay away in entirety from the forthcoming Commonwealth Heads of Government Meeting (CHOGM) to be held at Colombo, Sri Lanka in November, 2013. On 24.10.2013 the Tamil Nadu Legislative Assembly passed a unanimous Resolution that India should totally boycott the Commonwealth Heads of



Government Meeting (CHOGM) scheduled to be held in Sri Lanka in the month of November this year and further that there should be no representation, even nominal, on behalf of India at that said meeting and further that the decision of India in this regard should be immediately conveyed to Sri Lanka and that India should take necessary action to have Sri Lanka temporarily suspended from the membership of the Commonwealth until the Government of Sri Lanka takes steps to accord ethnic Tamils in Sri Lanka liberty and equality of status with the Sinhalese. This text of the Resolution was also communicated to you in my letter dated 25.10.2013.

Regrettably, the Government of India has chosen to participate in the CHOGM by sending a delegation headed by the Union Minister of External Affairs, showing scant consideration to the unanimous Resolution passed by the Tamil Nadu Legislative Assembly. Far from administering a stern message to the Sri Lankan Government, this decision, which flies in the teeth of the unanimous Resolution of the Tamil Nadu Assembly of the 24th October, 2013 is, in fact,





a snub to the people of Tamil Nadu, giving short shrift to their sentiments. There is now widespread disappointment and disillusionment at this stand of the Government of India and a continuing sense of injustice in Tamil Nadu on this deeply emotive issue.



Accordingly, in view of the groundswell of public and political opinion against this decision of the Government of India the Tamil Nadu Legislative Assembly met at a Special Session on 12.11.2013 to discuss this highly emotive and sensitive issue. The Tamil Nadu Legislative Assembly passed a Resolution to once again urge the Government of India to totally boycott the CHOGM and related meetings to be held in Colombo.

I am communicating the Text of the Resolution passed on 12.11.2013, for your urgent consideration and immediate action.

★ ★ ★ ★ ★ ★ ★ ★





**Seeking Personal Intervention
to Secure Release of Tamil Nadu
Fishermen from Sri Lanka**


D.O. letter dated 22.11.2013

I am extremely distressed to be writing to you yet again bringing to your notice yet another instance of illegal apprehension of innocent Indian fishermen belonging to Tamil Nadu by the Sri Lankan Navy on 21st November, 2013, which also happens to be 'World Fisheries Day'. The Government of India's insensitive handling of the entire issue has led to the repeated, increasingly frequent and brutal attacks on fishermen from Tamil Nadu peacefully pursuing their livelihood in their traditional fishing waters. The meek and pusillanimous response of the Government of India to these repeated instances of apprehension have emboldened the Sri Lankan Navy to illegally arrest and detain more and more of our fishermen.



I would like to bring to your notice the latest incident on 21st November, 2013, in which the Sri Lankan Navy brutally abducted 20 poor innocent fishermen along with their 5 fishing boats while they were fishing in their traditional waters of Palk Bay. 20 fishermen set out for fishing from Jagadhapattinam and Kottaipattinam fishing bases of Pudukottai District on 20.11.2013 in 5 mechanised fishing boats bearing registration numbers IND-TN-08-MM-106, IND-TN-08-MM-125, IND-TN-08-MM-245, IND-TN-08-MM-297 and IND-TN-04-MM-173. While they were engaged in fishing in their traditional fishing waters, they were apprehended by the Sri Lankan Navy on 21st November, 2013. When the global fishermen community was in a festive mood, celebrating World Fisheries Day, this dastardly act of the Sri Lankan Navy has again cast a pall of gloom over our innocent fishermen and their families.



Incidents of abduction and detention of fishermen from Tamil Nadu for long periods in Sri Lankan prisons have multiplied, even as the Government of India takes little or no action to convey India's strong protest or to use coercive diplomacy to put an end to these marauding attacks. The very serious livelihood problem of hundreds





of thousands of our fishermen is, in fact, being relegated to the backburner as something to be sorted out by the fishermen associations of both countries. The continued insensitive and ham-handed treatment of the Tamil Nadu fishermen issue in the Palk Bay, is fast alienating the fishermen community in Tamil Nadu, who justifiably feel that they have been let down by their own national Government.

I wish to remind you that before the latest incident of 21st November, 2013, 60 fishermen who had earlier been apprehended and remanded to custody, continue to languish in Sri Lankan Jails and are yet to be released by the Sri Lankan Government. 42 fishing boats of our fishermen are yet to be returned from Sri Lankan custody causing considerable economic loss to the poor fishermen. May I once again exhort you to personally intervene in the matter and use the highest diplomatic channels of the Government of India to secure the immediate release of 80 fishermen who are currently in Sri Lankan custody including the 20 fishermen who were apprehended on 21st November, 2013, and the 47 Indian fishing boats detained by the Sri Lankan authorities at the earliest?

★ ★ ★ ★ ★ ★ ★ ★


**Condemning the Training by
Ministry of Defence to Sri Lankan
Naval Officers**

D.O. letter dated 30.11.2013

Over the last two years, I have written to you a number of times bringing to your notice the strong sentiments amongst Tamils and in Tamil Nadu on a range of issues relating to India's relations with the present regime in Sri Lanka in the aftermath of the ethnic civil strife in Sri Lanka, which was marked by an ethnic pogrom and genocide on the Tamil minority in Sri Lanka. The Tamil Nadu Legislative Assembly has already passed four Resolutions condemning the continuing discrimination against the Tamil minority in Sri Lanka and violation of their human rights.


The other serious issue, which clearly demonstrates the harsh and unreasonable attitude of the present Sri Lankan regime, is the continuing marauding and totally unprovoked attacks by the Sri Lankan Navy upon



innocent Tamil Nadu fishermen on the high seas, followed by their extended periods of detention in Sri Lankan jails, confiscation of their boats, fishing nets, etc. thereby causing loss of their livelihood and condemning the fishermen and their families to suffer considerable mental agony.

Therefore, there is a deep and widespread sentiment prevailing amongst all sections of Society and shades of political opinion in Tamil Nadu about the need to hold the Sri Lankan regime to account for the acts of genocide and war crimes in the closing stages of the civil war and continued discrimination against the Tamil minority in Sri Lanka. Further, the entire fishermen community in Tamil Nadu is agitated over the indiscriminate abduction of our fishermen on the high seas. It is against this background that the Tamil Nadu Legislative Assembly had passed a historic Resolution on 27.3.2013 urging the Government of India to stop terming Sri Lanka as a “friendly nation”.


Please refer to my letters dated 16.7.2012, 25.8.2012, 28.8.2012 and 8.6.2013, wherein I had written to you to convey the deep sense of outrage of the people of Tamil Nadu regarding the imparting of training to Sri Lankan defence personnel at the Defence Services Staff College, Wellington, located in the Nilgiris in Tamil Nadu. While communicating Tamil Nadu’s strong protest, I had urged



that the Government of India should issue a clear policy direction that the Ministry of Defence should not hereafter provide training, or engage in any form of co-operation with the Sri Lankan Armed Forces, until satisfactory and credible action was taken by the Government of Sri Lanka to completely stop the human rights violations against the Tamil minority in Sri Lanka and end the unprovoked and marauding attacks on fishermen from Tamil Nadu.

I had also written to you on 11.9.2013 that the Government of India should cancel the agreement to supply naval warships to Sri Lanka and ensure that no support of any kind is provided to the Sri Lankan military forces.


I am, therefore, dismayed to note from media reports that the Indian Navy has now offered to train Sri Lankan Navy officers and would put them through the four year Bachelor of Technology course now being offered to Indian Navy officers. It is learnt that this announcement followed a meeting between the Chief of Naval Staff and Mahinda Rajapaksa, President of Sri Lanka. This has come as a great shock to the people of Tamil Nadu. In utter disregard of the sentiments and emotions of the people of Tamil Nadu, the Government of India is persisting with the policy of defence co-operation with the Sri Lankan




Armed Forces. The commitment made by the Government of India is tantamount to actively working with the Sri Lankan regime and providing them with the necessary wherewithal to act even more strongly not only against the Tamil minority in Sri Lanka, but also against the poor Indian fishermen who regularly bear the brunt of the brutal attacks of the Sri Lankan Navy.

I wish to convey our strong protest against this insensitive policy of defence co-operation with Sri Lanka, which totally ignores the impact it may have upon the feelings of the people of Tamil Nadu. I, therefore, request you to urgently review this policy and instruct the Ministry of Defence not to pursue the proposed training programme for Sri Lankan Naval officers by the Indian Navy. May I request a line in reply?

★ ★ ★ ★ ★ ★ ★




**Requesting Quick and Decisive Action
for the Release of Tamil Nadu
Fishermen from Sri Lanka**



D.O. letter dated 12.12.2013


You would recall that I have written to you on numerous occasions bringing to your notice the repeated instances of abduction and apprehension of innocent Indian fishermen belonging to the coastal Districts of Tamil Nadu by the Sri Lankan Navy while pursuing their peaceful livelihood of fishing in their traditional fishing waters. I had sought a strong diplomatic response from India to prevent the recurrence of such incidents.

I had also been consistently pointing out that the failure of the Government of India to come out strongly in defence of the rights and interests of Indian fishermen from Tamil Nadu was giving rise to disillusionment and



disquiet amongst the fishermen community and raising tensions to alarming levels. The failure of India to act decisively on this issue has emboldened the Sri Lankan regime to wilfully and with impunity, prey upon the poor fishermen from Tamil Nadu.


What I had feared appears to have come true in the latest incidents, when on 11.12.2013 the Sri Lankan Navy attempted to abduct and apprehend 47 boats with close to 325 fishermen from Nagapattinam District while they were fishing off the Akkaraipettai coast near Nagapattinam. The abduction operation put the lives of several of these fishermen at grave risk since a major confrontation took place in the high seas. Had it not been for the fishermen acting with restraint, and avoiding a direct conflict with the heavily armed Sri Lankan Navy personnel, many innocent lives could have been lost. 110 fishermen in 15 boats quietly surrendered to the Sri Lankan Navy, while 32 boats with 215 fishermen turned back and returned. The Sri Lankan Navy has acted with extreme hostility and punitive intent. It is understood that these 110 fishermen have been taken to Trincomalee for further legal action.



No sooner did the State Government get the details of this shocking incident from the Coastal Security and Intelligence sources, we are now informed that, in yet another incident the Sri Lankan Navy has apprehended 30 fishermen in 8 boats from Tamil Nadu who ventured for fishing from the Jagathapattinam fishing base of Pudukkottai District in the early hours of 12.12.2013.

These are the largest and most outrageous acts of mass abduction of our fishermen by the Sri Lankan Navy. Such brazen and near warlike acts could not have been carried out without the tacit approval of the Sri Lankan Government. India's prestige and image has suffered grievous damage. The entire fishing community in Tamil Nadu has lost its faith in the ability of the Government of India to protect the lives and livelihood of innocent fishermen in the high seas. Surely, we cannot continue our facile 'do not touch policy' in the face of these audacious and high handed acts that violate the lives and livelihoods of our fishermen anymore?


I earnestly hope that the Government of India would wake up to the reality of the situation at least now and come up with a concrete course of action to resolve this issue.



There has to be an immediate strong, diplomatic initiative including intervention at the highest level. The Sri Lankan High Commissioner in New Delhi must be summoned to the Ministry of External Affairs and our strong protest lodged. Mr. Prime Minister, Sir, you must personally take up this issue with the President of Sri Lanka without any further delay. Failure to take immediate action would be disastrous for the livelihood of the fishermen community in Tamil Nadu. It will also lead to flaring up of socio-economic tensions with the potential to snowball into a major law and order and security issue.

May I urge you to immediately bestow the much needed attention that this extremely volatile, emotive and sensitive issue deserves and to act decisively? The Government of India should not allow this issue to fester anymore through continued inaction or through a weak-kneed and timid approach towards the Sri Lankan regime which continues to perpetrate outrage upon outrage upon innocent Indian fishermen from Tamil Nadu pursuing their livelihood.



The fishermen community in Tamil Nadu is in a highly agitated mood and we expect quick and decisive





action by the Government of India to ensure that the 22 fishing boats and 140 fishermen apprehended by the Sri Lankan Navy in the past 24 hours are released forthwith without detention. May I also remind you that another 69 fishermen from Tamil Nadu are already languishing in Sri Lankan Jails and their 47 boats with equipment are still in Sri Lankan custody?

I request your immediate intervention and response.

★ ★ ★ ★ ★ ★ ★

**Seeking Stern Measures to Deal
with Sri Lankan Authorities
in a Concrete and Decisive Manner**


D.O. letter dated 06.01.2014

I am at a loss for words to convey my deepest anguish and frustration over the repeated apprehension and incarceration of a large number of Indian fishermen from Tamil Nadu by the Sri Lankan Navy. These continued oppressive acts have caused untold misery and hardship to the apprehended fishermen and their families. I wish to draw your attention to my letter dated 30.12.2013 bringing to your notice the apprehension of 40 fishermen and their 9 boats from Tamil Nadu by the Sri Lankan Navy on the 28th and 29th of December, 2013. In recent days, the marauding Sri Lankan Navy has not even spared the poorest fishermen who fish in traditional fishing crafts called “Vallams” and eke out a meagre livelihood in their traditional fishing waters in the Palk Bay.

In the latest incident, 5 Mechanised fishing boats bearing registration numbers IND-TN-09-MM-178, IND-TN-11-MM-195, IND-TN-11-MM-199, IND-TN-11-MM-257 and IND-TN-09-MM-127 with 25 fishermen belonging to Ramanathapuram District of Tamil Nadu set out to fish from Mandapam South fishing base on 2.1.2014. While they were engaged in peaceful fishing in their traditional fishing waters in the Gulf of Mannar, they were apprehended by the Sri Lankan Navy on 2.1.2014.

I wish to remind you that 250 Indian fishermen who were apprehended and remanded to custody in Sri Lankan Jails for long periods are yet to be released by the Sri Lankan Government while 79 Indian fishing boats are still in Sri Lankan custody and are being reduced to ruin and will be completely unusable for fishing operations.

The repressive Sri Lankan Navy is establishing its authoritarian presence in the Palk Bay by chasing and arresting unarmed innocent fishermen from Tamil Nadu who offer no provocation. These oppressive acts of the Sri Lankan Navy on the direction of the emboldened Sri Lankan regime have caused a great deal of suffering and coupled with the hopelessly inadequate response of the Government of India have given rise to considerable



resentment and angst not only amongst the fishermen community, but also amongst the entire population of Tamil Nadu.

The Indian Government has been a mute spectator all along and not at all willing to understand the sufferings of its own fishermen and their families and intervene effectively. The bread winners of poor fishermen families are kept under detention for months together in an alien land and the only assets they possess to earn their livelihood are also allowed to rot and ruin there due to the inaction of the Indian Government.

May I once again urge your immediate personal intervention and exhort you to use the diplomatic channels of the Government of India in a concrete and decisive manner with the Sri Lankan authorities to secure the immediate release of 250 fishermen who are already languishing in Sri Lankan Jails in addition to the 25 fishermen who were apprehended on 2.1.2014 and the 84 fishing boats in Sri Lankan custody at the earliest?

★ ★ ★ ★ ★ ★ ★ ★




**‘Activate Diplomatic Channel
to Secure the Release of Fishermen’**




D.O. letter dated 30.01.2014


As you are aware, in a spirit of accommodation, I had facilitated the holding of direct talks between the fishermen communities of Tamil Nadu and Sri Lanka on 27.1.2014 in Chennai. Based on the overall environment of goodwill created by the holding of the talks, 295 Indian fishermen from Tamil Nadu and their 45 boats were released by Sri Lanka in the last two weeks.

However, this environment of goodwill has been totally vitiated by an incident which occurred on 29.1.2014 in which 38 hapless Tamil Nadu fishermen were detained by the Sri Lankan Navy in a midnight raid while fishing in their traditional waters in the Palk Bay.

6 Mechanised fishing boats bearing registration number IND-TN-10-MM-88, IND-TN-10-MM-358, IND-TN-09-MM-213, IND-TN-10-MM-205, IND-TN-10-MM-748, IND-TN-09-MM-247, with 38 fishermen belonging to Ramanathapuram District of Tamil Nadu set out for fishing from Rameswaram fishing base on 29.1.2014. While they were engaged in fishing in their traditional fishing waters in Palk Bay, they were apprehended by the Sri Lankan Navy around midnight on 29.1.2014.

It appears to me that this incident of apprehension is an attempt by elements in the Sri Lankan Navy to deliberately spoil the conducive atmosphere created by the recent talks. Such arrests and apprehension also directly impact the livelihood of the Tamil Nadu fishermen living in the Palk Bay Districts.



In order to preserve the conducive atmosphere and to enable a pragmatic and workable solution to emerge for the day to day fishing activities of the fishermen to continue, I request you to decisively impress upon the Government of Sri Lanka to advise its Navy to abstain from such acts





of illegal abduction of innocent Indian fishermen. I request you to convey an unequivocal and strong disapproval of the belligerent actions of the Sri Lankan Navy and also urge the Sri Lankan Government to direct its Navy not to resort to further illegal arrest and detention of our innocent fishermen.

May I urge your personal intervention and exhort you to use the diplomatic channels of the Government of India in a concrete and decisive manner to secure the release of the 38 fishermen arrested on 29.1.2014 including their 6 boats ?

★ ★ ★ ★ ★ ★ ★

**Seeking Personal Intervention
to Ensure the Immediate Release
of Tamil Nadu Fishermen**

D.O. letter dated 14.02.2014

I am constrained to bring to your notice yet another incident in which 29 of our fishermen were apprehended by the Sri Lankan Navy in the early hours of 13.2.2014. The Sri Lankan Navy is now acting with greater impunity and effectively thwarting Indian fishermen coming from the Coastal Districts of Tamil Nadu from peacefully pursuing their livelihood in their traditional fishing waters in the Palk Bay. Every fishing voyage of our fishermen is now laden with danger and the anxiety of possible attack, harassment, apprehension and custodial detention by the Sri Lankan authorities. It is extremely disheartening that hostile actions have been intensified by the Sri Lankan Navy after the recent fishermen level talks hosted in Chennai, which represented a positive step forward to

resolve the livelihood issues through mutual agreement, between the fishermen of Tamil Nadu and Sri Lanka with the support of their Governments.

In this current episode, 7 mechanised fishing boats belonging to Ramanathapuram and Pudukkottai Districts, bearing Registration No. IND-TN-10-MM-33, IND-TN-10-MM-836, IND-TN-10-MM-841, IND-TN-11-MM-83, IND-TN-11-MM-46, IND-TN-08-MM-323 and IND-TN-08-MM-349, with 29 fishermen who ventured for fishing from Rameswaram, Mandapam (North) and Jagathapattinam fishing bases have been apprehended in the Palk Bay on 13.2.2014 and it is reported that they have been remanded to the Jaffna prison up to 24.2.2014 by the District and Magistrate's court, Kayts, Jaffna.

I have clearly indicated in my previous letters that the normal life and the right to livelihood of our fishermen of the 5 Coastal Districts of Tamil Nadu, viz. Ramanathapuram, Pudukkottai, Thanjavur, Tiruvarur and Nagapattinam have been left to the mercy of the marauding Sri Lankan Navy primarily due to the ill-advised 1974 and 1976 Agreements of the Government of India. These agreements have not only snatched away the livelihood of our fishermen but also the sovereign territory of India

- Katchatheevu. The Government of India is yet again treating the livelihood issue of lakhs of fishermen of Tamil Nadu with inexplicable insensitivity. Strong diplomatic action is not being taken by the Government of India to curb such repeated instances of attack, apprehension and unlawful detention of our fishermen.

May I once again exhort you to take up the matter with the Sri Lankan Government and arrange for the immediate release of all the 121 fishermen of Tamil Nadu apprehended by the Sri Lankan Navy, who are now in Sri Lankan custody, including the 29 fishermen apprehended on 13.2.2014 and their 26 fishing boats? I once again urge you to intervene personally and ensure that the matter is taken up at the highest diplomatic level for the immediate release of the 121 fishermen belonging to Tamil Nadu and their 26 fishing boats.

★ ★ ★ ★ ★ ★ ★ ★




**Expressing Deep Anguish and Pain
Over the Continued Apprehension
of Tamil Nadu Fishermen**



D.O. letter dated 04.03.2014

I am at a loss for words to convey my deep anguish and pain over the continued and repeated instances of apprehension and incarceration of a large number of fishermen from Tamil Nadu and their fishing boats by the Sri Lankan Navy and the untold hardship caused to the fishermen and their families.

In the most recent incident, 8 mechanised fishing boats bearing registration numbers IND-TN08-MM-115, IND-TN06-MM-932, IND-TN06-MM-318, IND-TN06-MM-757, IND-TN06-MM-429, IND-TN06-MM-124, IND-TN04-MM-4489 and IND-TN08-MM- 081, with 30 fishermen belonging to Pudukottai District of Tamil Nadu and 2 fishermen from Karaikkal of Puducherry set out for fishing from Jegathapattinam fishing base of Pudukottai




District on 3.3.2014. While they were engaged in fishing in their traditional fishing waters of the Palk Bay, they were apprehended by the Sri Lankan Navy in the evening of 3.3.2014.

I wish to draw your attention to my letter dated 20.9.2013 proposing fishermen level talks between fishermen belonging to Tamil Nadu and Sri Lanka. In order to enable a pragmatic and workable solution to emerge for the day-to-day fishing activities of our fishermen, I had facilitated the holding of direct talks between the fishermen communities of Tamil Nadu and Sri Lanka on 27.1.2014 in Chennai.

In order to carry forward the constructive process of talks between the fishermen associations of both countries, the next level of fishermen talks have been slated to be held at Colombo on 13.3.2014, subject to the condition that all fishermen from Tamil Nadu and their boats in Sri Lankan custody must be released prior to the talks.

At this juncture, the further apprehension of 32 of our fishermen and their 8 boats has come as a rude shock to the fishermen community in Tamil Nadu. This harsh action of the Sri Lankan Navy against our innocent fishermen must be seen as a deliberate attempt to vitiate the atmosphere



before the talks in Colombo slated for 13.3.2014. The Government of India is perceived as being a passive and mute spectator and not willing to understand and empathize with the sufferings of its own fishermen and their families.

I wish to remind you that 116 fishermen from Tamil Nadu who were apprehended by the Sri Lankan Navy have now been in custody in Sri Lankan Jails for more than a month and 5 fishermen are still languishing in a Sri Lankan jail under a fabricated case for more than 2 years. 31 fishing boats belonging to these fishermen are also wasting away in detention.

May I once again urge your personal intervention in the matter? I also exhort you to decisively use all available diplomatic channels of the Government of India to secure the immediate release of 153 fishermen who are languishing in Sri Lankan Jails including the 32 fishermen, who were apprehended on 3.3.2014 and 39 fishing boats from Sri Lankan custody at the earliest.

★ ★ ★ ★ ★ ★ ★ ★




**Demanding Speedy Release of
177 Tamil Nadu Fishermen and their Boats**



D.O. letter dated 07.03.2014

“I had written to you just two days ago on 04.03.2014, bringing to your notice the apprehension of 32 fishermen and 8 boats from Tamil Nadu by the Sri Lankan Navy on 03.03.2014. Two further incidents occurred in rapid succession on 5.3.2014, in which 24 Tamil Nadu fishermen, while fishing in their traditional waters in the Palk Bay were arrested by the Sri Lankan Navy.


Three Motorised traditional fishing boats bearing registration numbers TN-09-WV-859, TN-09-WV-921, TN-08-WV-1071, with 15 fishermen and 2 mechanised fishing boats bearing registration numbers IND-TN-10-MM-554, IND-TN-10-MM-873 with 9 fishermen belonging to Ramanathapuram District of Tamil Nadu, set out for fishing from Rameswaram fishing base on 05.03.2014. While they were engaged in fishing in their traditional



fishing waters, they were apprehended by the Sri Lankan Navy on 05.03.2014. All 24 fishermen apprehended have been produced before the Magistrate's Court, Mannar, Sri Lanka.

The Sri Lankan Navy continues to harass our fishermen, deprive them of their livelihood and their indispensable fishing assets, thereby unleashing a reign of terror and oppression on our poor, innocent Tamil fishermen. These repeated incidents occurring with such rapid succession, particularly, when I had written calling for an early release of the fishermen before the talks scheduled on 13.03.2014, lead me to wonder whether the Sri Lankan Navy is acting in a deliberate and calculated manner to vitiate the conducive environment before the talks and making a sinister attempt to nullify the positive and proactive steps taken to work out a pragmatic solution for the day-to-day fishing activities of our fishermen. The ineffective and weak response from the Government of India to these continuous incidents of apprehension and attack on our fishermen in their traditional fishing waters of the Palk Bay, has only further emboldened the Sri Lankan Navy to act in a brazen manner.

I wish to remind you that 148 fishermen who were apprehended and remanded in Sri Lankan Jails for more than a month as well as 5 fishermen who have been languishing in a Sri Lankan jail for more than two years



on a fabricated case are yet to be released along with their 39 fishing boats.

I strongly urge you to ensure that the matter is immediately taken up at the highest diplomatic level for the immediate release of the 177 Tamil Nadu fishermen and their 44 boats, which includes the 24 fishermen and 5 boats taken into custody on 05.03.2014. All our fishermen and their boats should be released prior to the talks scheduled on 13.03.2014 at Colombo.

May I request an immediate reply?”






**Reiterating need for Conducive Atmosphere
for Talks on Release of Fishermen**




D.O. letter dated 20.03.2014

“**K**indly recall my letter dated 20.09.2013 in which I had proposed fishermen level talks between the fishermen of Tamil Nadu and Sri Lanka. I had also written to you pointing out that, despite recurrent instances of violent attacks and abductions on the high seas in the Palk Bay by the Sri Lankan Navy, the Tamil Nadu fishermen, in an accommodative frame of mind, are eager to sort out the day-to-day issues faced by them by engaging in talks with the fishermen from Sri Lanka. I had requested that all arrangements be made to have the talks at Chennai between our fishermen and their counterparts in Sri Lanka. Accordingly the fishermen level talks were held on 27.01.2014.

My Government had also conveyed to the Ministry of External Affairs that the next round of talks between

Tamil Nadu fishermen and fishermen from Sri Lanka may be held on 13.03.2014 at Colombo. It was categorically stated in that letter that the talks may be held subject to the release of the Tamil Nadu fishermen and their boats in Sri Lankan custody. Due to my persistent efforts the fishermen, who were apprehended by the Sri Lankan Navy after the talks on 27.01.2014, along with their boats, have now been released by the Sri Lankan courts. The Government of Tamil Nadu had also released 39 Sri Lankan fishermen and their 18 boats. Consequent to the release of our fishermen, my Government had conveyed to the Government of India that the revised date for the fishermen level talks would be on 25.03.2014 at Colombo.

While the Government of Tamil Nadu has taken such a positive and accommodative stance, it is most disconcerting and shocking to learn that the Sri Lankan Navy has resumed its marauding acts of assault and apprehension of innocent fishermen from Tamil Nadu. I am dismayed by the report that, in two separate incidents on 19.03.2014, the Sri Lankan Navy has apprehended 74 fishermen and their 18 boats of which 37 fishermen and 11 boats belong to Pudukottai and Thanjavur Districts, 21 fishermen and 5 boats belong to Ramanathapuram District, and 16 fishermen and 2 boats belong to Karaikal, Puducherry.

This latest incident, coming as it does on the eve of the fishermen level talks, is an extremely unfortunate

episode. This belligerent action has caused tremendous anxiety and agitation amongst the fishermen community in Tamil Nadu. In spite of the assiduous and decisive steps being taken by my Government to defuse the tense situation prevailing in the coastal districts of Tamil Nadu and to create a conducive and accommodative atmosphere for the smooth conduct of the bilateral fishermen level talks, the action of the Sri Lankan Navy has come as a rude shock to the fishermen community in Tamil Nadu.

This latest incident definitely requires your personal intervention and I exhort you to take concrete and decisive action to ensure the immediate release of the 74 fishermen apprehended on 19.03.2014 with their 18 boats. Only such a decisive action, taken at the earliest, would facilitate the smooth conduct of fishermen level talks between the two countries scheduled to be held on 25.03.2014. **I wish to reiterate categorically that, in order to ensure that the talks are conducted in a conducive atmosphere, all the apprehended Indian fishermen in Sri Lankan custody should be released. The talks can take place as scheduled on 25.03.2014, only if all our fishermen and their boats are released before that date”.**





**Launch Crackdown on Smuggling
of Chinese Fireworks**



D.O. letter dated 11.04.2014

“I write to bring to your notice a very emergent problem which has affected a very important, employment intensive industry in Tamil Nadu, namely, the fireworks industry. As you are aware, Tamil Nadu supplies more than 80 per cent of the total fireworks sold in the Country and the industry provides employment to lakhs of persons in the State. The entire fireworks industry in the State is on indefinite strike from 9th April, 2014, protesting against certain measures taken by the Government of India.

The industry is gravely affected due to the lack of effective action by the Government of India to prevent the smuggling of Chinese made fireworks into India, which are more unsafe due to use of a cheaper raw material, chlorate, which is banned in India. Not only does this affect domestic employment, but it also raises serious safety issues and environmental hazards. The Ministry of Home Affairs had written to all State Governments as recently

as on 17th October, 2013 (D.O.No. V-11026/98/2012-Arms) highlighting the danger of smuggled Chinese fireworks containing Potassium Chlorate and the need to deal strictly with persons found in possession of such fireworks. However, the inclusion of fees for licensing import of Class 7 explosives, which are fireworks, in the User Fee Notice (Explosives) dated 20.03.2014 has raised a serious apprehension that PESO which has so far not granted any import licences, would in fact facilitate easier imports of fireworks. In their representations, the fireworks industry have expressed apprehension that a new post has been created in the PESO, Nagpur office to process the applications for import and export of explosives and fireworks.

Not only is the Government of India not acting sufficiently strongly against smuggling of unsafe and cheap explosives from China, but it is also acting against the interests of domestic manufacturers of fireworks who are mostly in Tamil Nadu, in particular in the drought prone Southern districts of the State. The Department of Industrial Promotion and Policy, Ministry of Commerce and Industry, issued a “User Fee Notice (Explosives)” on 20th March, 2014, in which effective rates were steeply raised. In certain cases, the increase is very high. The explosives storage license fee has been increased from a flat fee of Rs.15,000 per year to Rs. 4 lakh per year for storage of 2 lakh kilogrammes of fireworks, an increase of 27 times. The fee for renewal of foreman (competency)

license has increased from Rs.100 to Rs.3,000, an increase of 30 times.

The fireworks industry also makes a justified demand for a separate set of rules to govern fireworks as distinct from explosives, since Explosives Rules are meant to govern high explosives and are too stringent for fireworks.

The entire Fireworks industry in Tamil Nadu is on indefinite strike from 09.04.2014 protesting against inaction of the Government of India on the issue of unregulated imports of Chinese fireworks and against the abnormal increase in user fees in the User Fee Notice (Explosives) dated 20.03.2014. This issue requires to be urgently and sensitively dealt with. I am very surprised that the Government of India went ahead with issuing such a sensitive, policy order after the date for the announcement of the Parliamentary elections. Not only is this an act bereft of any understanding of the etiquette of parliamentary democracy, it also constitutes a violation of the Model Code of Conduct.

Hence I strongly urge you to immediately withdraw the User Fees Notice (Explosives) dated 20.03.2014 and also ensure that the Customs authorities act effectively to prevent smuggling of Chinese fireworks and thereby enable the domestic fireworks industry to operate on a level playing field”.





Congratulating Prime Minister Designate



D.O. letter dated 16.05.2014

I congratulate you on the magnificent victory in the 16th Lok Sabha Elections.

I wish you and the Government under your stewardship the very best and look forward to an era of meaningful co-operation between the Government of India and the Government of Tamil Nadu.






**Chief Minister Seeks Firm Action
from New Government to Solve
Fishermen Problems**




D.O. letter dated 01.06.2014


“I write this letter with a deep sense of anguish that, right at the beginning of the fishing season on June 1st, after a 45 day fishing ban, 33 innocent Indian fishermen from Tamil Nadu, along with their 7 fishing boats, have been apprehended and detained by the Sri Lankan Navy. There were 76 incidents of apprehension and 67 incidents of attacks on and harassment of Indian fishermen of Tamil Nadu in the past three years by the Sri Lankan Navy. I had written to the former Prime Minister on numerous occasions over the past three years seeking strong diplomatic action to ensure that such incidents do not occur, but to no avail.

It has been reported that seven Mechanized Fishing Boats bearing Registration Nos. IND-TN-10-MM-123, IND-TN-10-MM-263, IND-TN-10-MM-344, IND-TN-10-MM-368, IND-TN-10-MM-372, IND-TN-10-MM-446 & IND-TN-10-MM-571, which went for fishing on 31.05.2014, from the Rameswaram fishing base of

Ramanathapuram District with 33 fishermen on board, have been apprehended by the Sri Lankan Navy in the early hours of 1st June, 2014, and they have been taken to Thalaimannar, Sri Lanka. This resumption of abductions and detentions has sent shock waves throughout the fishermen community in Tamil Nadu. There was an expectation that, with the change of Government at the Centre, there would be a reset in the relations with Sri Lanka and such attacks and apprehensions would cease.

The right of livelihood of our fishermen to fish in their traditional waters of the Palk Bay, to which they have a historic claim, is being infringed repeatedly and effectively abrogated by Sri Lanka. This is caused in no small measure because of the action of the Government of India having entered into an ill-advised agreement, which ceded to Sri Lanka the islet of Katchatheevu, which was historically part of India's territory and undisputedly an integral part of India.

Despite the non-conducive atmosphere created by the actions of the Sri Lankan Government, including the recurrent instances of violent attacks upon and abductions of our fishermen on the high seas in the Palk Bay, the seizure and destruction of boats and fishing equipment by the Sri Lankan Navy and the prolonged detention of scores of poor fishermen from Tamil Nadu in Sri Lankan jails, our fishermen in an accommodative frame of mind, were eager to sort out the day-to-day issues faced by them



by engaging in talks with fishermen from Sri Lanka. The Government of Tamil Nadu facilitated two rounds of bilateral fishermen level talks in Chennai on January 27th, 2014, and in Colombo on May 12th, 2014. The Sri Lankan stand in these talks has been obdurate and it is unfortunate that despite the Government of Tamil Nadu taking a positive approach and helping to facilitate fishermen level talks, the instances of attack on and abduction of innocent fishermen from Tamil Nadu continue unabated.

The meek and weak response of the erstwhile UPA Government to the repeated instances of abduction of and attacks on our fishermen in their traditional waters has emboldened the Sri Lankan Navy to act brutally against our innocent fishermen. I hope that there will now be a decisive shift in the stance of the Government of India towards handling this issue under your leadership, and that the Government of India will now take the necessary steps to find a lasting and permanent solution to this vexatious question, which has a highly emotive impact amongst the fishermen community in Tamil Nadu and grave security implications for our State.

In order to put an end to the systematic violence unleashed by the Sri Lankan Navy and to decisively impress upon the Government of Sri Lanka that the Government of India would not tolerate such acts of brutality by the Sri Lankan Navy against our innocent fishermen, I request you to put in place a strong and robust diplomatic response

and ensure that India registers the strongest disapproval of the belligerent actions of the Sri Lankan Navy.

May I also request you to proactively initiate an appropriate and calibrated set of actions that will bring about a permanent end to the perennial problem that plagues the livelihoods of lakhs of Tamil Nadu fishermen who fish in their traditional fishing grounds in the Palk Bay, facing the daily threat of attack and abduction at the hands of the Sri Lankan Navy? This would be in sharp contrast to the passive and immobile policy paralysis that characterized the approach of the UPA Government for several years. There is high expectation in Tamil Nadu that the new NDA led Government at the Centre would act decisively on this very sensitive issue, which involves the livelihood of lakhs of poor fishermen households in the coastal areas of Tamil Nadu.

I urge your personal intervention in the matter and request you to direct the Ministry of External Affairs to take up the matter with the Sri Lankan authorities in a concrete and decisive manner so as to secure the immediate release of 33 fishermen who were apprehended on 1st June, 2014, and their 7 fishing boats from Sri Lankan custody at the earliest. We hope that the firmness of India's response would ensure that such instances do not recur hereafter.

May I look forward to early action?"





**Chief Minister Urges Prime Minister
to Act Swiftly on Tamil Nadu Issues**




D.O. letter dated 03.06.2014

“Let me once again congratulate you on your momentous victory in the recent General Elections and on your assumption of office as the Prime Minister of India. The people of the country have great expectations from you and your Government. Tamil Nadu is no exception. We were systematically ignored and discriminated against by the former UPA Government, particularly since May 2011, when I assumed office. I look forward to that trend completely changing under your guidance.

I have compiled a Memorandum containing some of the very crucial issues relating to Tamil Nadu which have either been pending with the Central Government or require urgent attention in order to safeguard the legitimate interests of the State and to propel the State on a faster growth path. Key issues highlighted in the Memorandum include:

- ★ Inter-State river water sharing including the Cauvery and Mullai Periyar issues and better utilisation of water resources
- ★ The Sri Lankan Tamils issue
- ★ The restoration of traditional fishing rights and an end to the prolonged harassment of Tamil Nadu fishermen by the Sri Lankan Navy
- ★ Issues relating to infrastructure, specifically Power, Urban Infrastructure and Services, Metro Rail, Transport and Industrial Infrastructure
- ★ Centre - State fiscal relations including shortfall in releases of grants due to the State, redesign of Centrally Sponsored Schemes, issues relating to Goods and Services Tax and compensation for Central Sales Tax
- ★ Agriculture Insurance and Food Security related issues
- ★ Modernization of the Police Force
- ★ Declaration of Tamil as an official language
- ★ Protection of the interests of poor, rural students, particularly from the Scheduled Castes
- ★ Grant of the Digitally Addressable System license for the Tamil Nadu Arasu Cable TV Corporation



I have been very careful and deliberate in choosing a limited number of important and urgent issues to bring to your notice through this Memorandum. I would be grateful if you could kindly instruct the Ministries and Departments in the Government of India that deal with these issues to ensure that they are addressed on a priority basis. A prompt and positive response would be deeply appreciated not just by the Government of Tamil Nadu but by the people of the State at large”.






**Chief Minister Writes to Prime Minister
on Abducted Tamil Aid Worker**








D.O. letter dated 04.06.2014

“As you are aware, a relief worker from Dindigul District of Tamil Nadu, Father Alexis Prem Kumar has been abducted by suspected militants in Herat Province of Afghanistan. Father Alexis Prem Kumar was on a humanitarian mission in Afghanistan working with refugee children when he was kidnapped. The incident has caused considerable anxiety to his family and friends here in Tamil Nadu. There is also a groundswell of sentiment in different parts of the State as Father Alexis Prem Kumar has a stellar record of having worked amongst tribal women and children for their welfare. There is a fear that his life may be in mortal danger.

Hence, I would be grateful if you could kindly intervene personally and take up the matter at the highest level in Afghanistan so that the local authorities redouble their efforts to secure the safe and early release of Father Alexis Prem Kumar”.





**Urging Centre to Issue DAS Licence
to Arasu Cable TV**



D.O. letter dated 05.06.2014

“As you are aware, after I assumed office in May, 2011, I revived the moribund Tamil Nadu Arasu Cable TV Corporation (TACTV), a Government of Tamil Nadu Public Sector Undertaking.

TACTV commenced its Cable TV services in all the 31 Districts of Tamil Nadu on 02.09.2011 barring Chennai, which was a Conditional Access System area at that point of time. TACTV provides 100 channels to subscribers at a cost of Rs.70/- per month. There has been an overwhelming response from the public and nearly 24,000 Local Cable TV Operators with a subscriber base of 65 lakhs avail of the services of TACTV.

As a result, TACTV is now the single largest Multi System Operator in India, offering its services at the lowest rate in the entire country and the people of Tamil Nadu have been freed from the clutches of the erstwhile Multi

System Operators who used to fleece them by charging Rs.150 – 250 per month for relaying just 30 – 70 Channels.

The Government of India had issued a Conditional Addressable System (CAS) license to TACTV for Chennai City on 02.04.2008 and TACTV is now transmitting signals in Digital Mode using the Conditional Addressable System (CAS) license in Chennai Metro Area as well. The Government of India subsequently amended the Cable Television Networks (Regulation) Act, 1995, and modified the ‘Conditional Access System’ area to ‘Digital Addressable System’ (DAS) area. Accordingly, TACTV has taken all necessary steps to commence operations in the Digital Mode in Chennai City and has placed orders for the supply of Set Top Boxes, Conditional Access System and Subscriber Management System and erection of Head End at a cost of about Rs. 50 crore.


TACTV applied to the Ministry of Information and Broadcasting for the Digital Addressable System license on 05.07.2012 for operating in the Chennai Metro Area and on 23.11.2012 for operating in the rest of Tamil Nadu. While TACTV’s application for license is still pending, it is learnt that the Ministry of Information and Broadcasting has issued licenses to nine other Multi System Operators in Tamil Nadu, including those who applied after TACTV.

On my directions, delegations of Members of Parliament from Tamil Nadu repeatedly met the then Union Ministers

for Information and Broadcasting and the former Prime Minister as well requesting the expeditious issue of licenses as digitization has to be completed within a time frame. The Madurai Bench of the Hon'ble High Court of Madras has passed orders as early as on 06.12.2012 that "the process of issue of license to Tamil Nadu Arasu Cable TV Corporation may go on and the license may also be issued". I had also written to the then Prime Minister of India to direct the Ministry of Information and Broadcasting to issue the license to TACTV. Despite all these efforts, the Digital Addressable System license is yet to be issued by the Ministry of Information and Broadcasting.

It is learnt that Ministry of Information and Broadcasting had constituted an Inter Ministerial Committee (IMC) on 03.01.2013 to look into the recommendations of the Telecom Regulatory Authority of India (TRAI) on the licensing issue and the Committee has still not submitted its final report.


As per the provisions of the Cable TV Network (Regulations) Act, 1995, and Rules thereof, a person or an association of individuals or a company registered under the Companies Act is entitled to get the DAS license and TACTV is fully qualified under the Act to be issued the license. I strongly suspect that the non-issuance of the DAS license to TACTV by the previous UPA Government



was only to facilitate particular private business interests, as other licenses were issued at the same time.

In these circumstances, I would be grateful if you could kindly have this matter reviewed at the earliest and arrange to issue the ‘Digital Addressable System’ license to the Tamil Nadu Arasu Cable TV Corporation Ltd., without any further loss of time so that the people of Tamil Nadu, particularly the poor and the middle class, continue to avail of inexpensive and quality Cable TV services”.





**Chief Minister seeks Permanent
Solution to Fishermen's Woes**



D.O. letter dated 08.06.2014

“At the outset let me thank you for the very prompt and effective action taken on my letter dated 1st June, 2014, in which I had brought to your attention the apprehension of 33 fishermen from Tamil Nadu by the Sri Lankan Navy. Owing to your immediate intervention, all the fishermen were promptly released without being subjected to prolonged detention.


As I had pointed out in the Memorandum, which I presented to you on 3rd June, 2014, the protection of the traditional fishing rights of Indian fishermen in the Palk Bay and ensuring their safety and security remains a serious issue because of the aggressive posture taken by the Sri Lankan side. In the last three years, there have been 77 incidents of apprehension and 67 incidents of harassment of and attacks on our fishermen by the Sri Lankan Navy, causing tremendous agitation amongst the fishermen community in Tamil Nadu.

It seems to me that the tide has not yet really turned so far as this long standing issue involving our fishermen is concerned. I write to you again with a deep sense of anguish that in the late hours of 7th June, 2014, 82 innocent Indian fishermen from Tamil Nadu, along with their 18 fishing boats have been apprehended and detained by the Sri Lankan Navy in two separate incidents.

We are informed that 10 mechanized fishing boats with 50 fishermen which went for fishing on 7th June, 2014, from Rameswaram fishing base of Ramanathapuram District have been apprehended by the Sri Lankan Navy in the late hours of 7th June, 2014.

In yet another incident on 7th June, 2014, 8 mechanized fishing boats, seven from Jegathapattinam fishing base of Pudukottai District with 26 fishermen on board and 1 fishing boat from Rameswaram fishing base of Ramanathapuram District with 6 fishermen, have been apprehended by the Sri Lankan Navy in the late hours of 7th June, 2014, and they have been taken to Kankesanthurai, Sri Lanka.


The repetition of such aggressive acts by the Sri Lankan side, immediately after the change in Government at the Centre and the consequent reset in our relations with Sri Lanka does not seem to augur well for the peaceful pursuit of fishing in the Palk Bay by fishermen from Tamil Nadu. It is important that the repeated infringements and effective abrogation of the very basic



human right to livelihood of our fishermen to fish in their traditional waters of the Palk Bay, to which they have a historic claim, are strongly and decisively dealt with by the Government of India at the highest diplomatic level with the Government of Sri Lanka.

A permanent solution to this problem must be found by a decisive initiative under your leadership. In my Memorandum dated 03.06.2014, I had outlined the contours of some of the elements of such a permanent solution, including the retrieval of the islet of Katchatheevu, which was historically part of India's territory until it was unilaterally ceded to Sri Lanka by the Government of India. Talks between the fishermen of the two sides could also help to resolve day-to-day issues provided they are held in a conducive atmosphere and in an accommodative spirit of mutual understanding and reciprocity. Even on this limited issue, the Sri Lankan side had adopted obdurate and obstructive attitudes which led to the failure of the last round of talks held in Colombo in May 2014.



In order to put an end to the unabated, brutal, unprovoked attacks on and abduction of our fishermen by the marauding Sri Lankan Navy, the time has now come to lay down a time bound action plan to achieve a long-term, permanent solution to the problem and also to put in place a strong and robust diplomatic response. I am confident that with the Government of India and the Government





of Tamil Nadu acting in concert, it would be possible to achieve a permanent solution to this vexatious issue.

As an immediate measure, I request you to kindly ensure that India registers the strongest disapproval of the belligerent actions of the Sri Lankan Navy. Given the question of livelihood for the families and dependents of the poor fishermen who have been arrested, I urge you to have this issue taken up at the highest level on the Sri Lankan side to secure the immediate release of the 82 Indian fishermen who were apprehended on 7th June, 2014, with their 18 fishing boats. I would also like to point out that the 6 boats belonging to the fishermen who were apprehended on 1st June, 2014, and have since returned to Tamil Nadu, are still under Sri Lankan custody and it is my request that the return of these 6 boats may also be taken up with the Sri Lankan authorities”.







**‘Retain Subsidy for Fertilizer
Units till Switch over to Gas’**


D.O. letter dated 09.06.2014

“I am writing this letter to bring to your notice a very urgent matter relating to two Fertilizer Plants in Tamil Nadu producing Urea with Naphtha as feedstock. Under the New Pricing Scheme III (NPS III), the Department of Fertilizers under the Ministry of Chemicals and Fertilizers has issued a directive on 02.04.2014 mandating all the Naphtha based Urea producing fertilizer plants to switch over to gas and that they would not be eligible for any subsidy after 30th June 2014. Tamil Nadu has two major Urea Fertilizer Plants viz., SPIC, Tuticorin, and Madras Fertilizers Ltd., Manali, in Chennai, a Central PSU, which together produce about Ten lakh MT per year forming the bulk of the Naphtha based Urea produced in the country. Both have invested considerably for the conversion from Naphtha to gas. However, they are yet to



be given confirmed gas allocation by the Government of India. They have taken up the issue with all the concerned organisations viz: GAIL, Indian Oil Corporation Ltd., and ONGC for the Gas connectivity but, till such time as they are given gas on an assured basis, they will not be able to switch over to gas based Urea production as imported gas is almost as costly as Naphtha.

Despite knowing all these facts and especially when the model code of conduct for the General Elections was already in place, the then UPA Government had taken this decision at the fag end of its tenure, completely unmindful of the interest of the farmers who are dependent on this essential fertilizer, and the hundreds of workers employed in these plants which have to be shut down in the absence of the subsidy. The very rationale of this decision is questionable when the Government of India which has to provide gas connectivity has not done it for no fault of the plants and when one of these plants belongs to a Central PSU. It is imperative that the Department of Fertilizers allows adequate time to Naphtha based fertilizer companies to switch over to gas based production and the concerned Ministries and Organisations of Government of India should provide for the gas connectivity.



I, therefore, request you to kindly issue immediate instructions to the Department of Fertilizers to take a relook at the whole issue and arrive at an immediate solution keeping in mind the interest of lakhs of farmers and hundreds of workers by permitting these plants to continue to receive the subsidy from the Government of India till such time when the gas connectivity is given to them ”.







**Chief Minister writes to Prime Minister
asking for Cauvery Management Board**




D.O. letter dated 13.06.2014

“You may recall that when I met you on the 3rd of June, 2014, I had presented a Memorandum detailing, among others, the importance of the need for the constitution of the Cauvery Management Board and the Cauvery Water Regulation Committee immediately. Even during our conversation, I had stressed the absolute necessity and urgency for the formation of the Cauvery Management Board and the Cauvery Water Regulation Committee. I was given to understand that steps are being taken by the Government of India and matters were proceeding satisfactorily for the present.

In the meanwhile, Thiru. Ananth Kumar, Union Minister for Chemicals and Fertilizers, has been quoted in the Media, stating that there was no proposal by the Government of India to form the Cauvery Management Board. In view of our conversation, I had chosen to ignore his statement and even defended you when there were protests from various



political parties in Tamil Nadu. I had stated that since your Government has been formed recently, some time has to be given to the Central Government to take action to form the Cauvery Management Board. However, within two days, there was another statement by Thiru.Venkaiah Naidu, Union Minister for Urban Development Housing, Urban Poverty Alleviation and Parliamentary Affairs, who reiterated to the media that there is no proposal to form the Cauvery Management Board. I also chose not to raise even this matter with you. In response to belligerent protests by political parties in Tamil Nadu, once again I defended you by saying that such a statement had not emanated from the Prime Minister or from the Union Minister for Water Resources.

However, I am now compelled to write this letter, which has been necessitated by the meeting you had with an all party delegation from Karnataka led by the Chief Minister of Karnataka, who submitted a Memorandum to you. This Memorandum which is replete with prevarications and misleading statements is aimed at making the Final Order of the Cauvery Water Disputes Tribunal itself nugatory. This is something which I could not ignore and I am constrained to point out the trials and tribulations faced by Tamil Nadu to get its legitimate and due share of water from a recalcitrant, upper riparian State, which considers itself as having a natural superior right over ALL the waters of the inter-State river Cauvery.

A reference was made by Tamil Nadu in July, 1986, to the Government of India to constitute a Tribunal for the adjudication of the Cauvery Water Dispute. In May, 1990, only after the Supreme Court had directed the Government of India to constitute a Tribunal, a Tribunal was constituted to adjudicate the Cauvery Water Disputes in June, 1990, as per the Inter-State Water Disputes Act, 1956.

The Government of Tamil Nadu, after a prolonged legal battle, got an Interim Order from the Tribunal on 25.06.1991. The Tribunal mandated a total annual quantity of 205 TMC.ft. to be ensured at the Mettur Dam, stipulating weekly and monthly releases. The Government of Karnataka did not honour the Interim Order of the Tribunal and promulgated an Ordinance on 25.07.1991 nullifying the Interim Order and arrogating to itself ALL the waters of the River Cauvery, in blatant violation of the federal principles enshrined in the Constitution of India.

The President of India, through a Presidential Reference (Reference No.1 of 1991), then sought the opinion of the Supreme Court of India regarding the validity of the Ordinance (which later became an Act) and the power of the Tribunal to grant an Interim Order etc., on 27.07.1991. The Supreme Court, in its opinion rendered on 22.11.1991, had declared that Karnataka's Ordinance (then the Act) was ultra vires the Constitution of India and struck it down and upheld the Interim Order of the Cauvery Water

Disputes Tribunal dated 25.06.1991 and opined that the Central Government should publish the said Interim Order in the official Gazette of the Government of India, as required under Section 6 of the Act. Only thereafter, did the Government of India, notify the Interim Order of the Tribunal by publishing it in the official Gazette of the Government of India on 10.12.1991.

The Government of Karnataka did not at any time honour the Interim Order of the Tribunal which is tantamount to an order of the Supreme Court by law and did not even once release water to Tamil Nadu as per the prescribed schedule in the Interim Order of the Tribunal. Only the surplus flood waters, which its reservoirs could not hold flowed to Tamil Nadu. The Government of Tamil Nadu repeatedly pressed for an appropriate Authority to effectively implement the Interim Order of the Tribunal and, on many occasions, was driven from pillar to post to get its due share of Cauvery water. In 1992, my Government filed a Suit in the Supreme Court of India to direct the Government of India to frame a scheme for the implementation of the Interim Order of the Tribunal. The Government of India framed a draft Scheme constituting an Authority comprising Technical Officers to oversee and regulate the releases from the Reservoirs to the respective States which provided for taking over the control of the Reservoirs, if necessary. However, the then Prime Minister Thiru.A.B.Vajpayee, constituted a simple scheme

on 11.08.1998, viz., the Cauvery River Authority with the Prime Minister as the Chairman and the Chief Ministers of the four Basin States as Members. This Authority was assisted by a Monitoring Committee. Even while the scheme was under consideration, I protested against this simple scheme and insisted on a more effective scheme so that the Interim Order could be implemented properly. What Tamil Nadu was demanding is a legal and constitutional right under Article 141 and 142 of the Constitution of India and all the Authorities in the territory of India are bound to implement the Interim Order. There were only 7 meetings of the Authority from the date of its constitution on 11.08.1998 till February, 2013. As the functioning of the Authority was not effective, the Government of Tamil Nadu had filed two Suits in the Supreme Court in the years 2001 and 2002 for framing a new Scheme in substitution / replacement of the 1998 scheme or an additional scheme making adequate provisions for all matters necessary to give effect to the Interim Order of the Tribunal. Purely for political considerations, the Cauvery River Authority did not do justice to Tamil Nadu in implementing the Interim Order of the Tribunal.

In the meantime, the Inter-State River Water Disputes Act, 1956, was amended with effect from 06.08.2002 (Act No.14 of 2002), whereby Section 6(2) was introduced. According to this Section, the decision of the Tribunal, after its publication in the official Gazette by the Central

Government under Section 6(1), shall have the same force as an order or Decree of the Supreme Court. Thus, the decision of the Tribunal in law is an order / decree of the Supreme Court and is law declared by the Supreme Court and is enforceable throughout the territory of India.

The Tribunal, after 16 years of proceedings, pronounced its Final Order on 05.02.2007 under Section 5(2) of the Inter State River Water Disputes Act, 1956. The Tribunal had also forwarded the said decision to the Central Government. The allocations made in the Final Order to the party States are as follows:-

Karnataka	270 TMC ft.
Kerala	30 TMC ft.
Tamil Nadu	419 TMC ft.
Pondicherry	7 TMC ft.
Environmental protection	10 TMC ft.
Inevitable escapage to the sea	4 TMC ft.
Total	740 TMC ft.

The Tribunal has also prescribed an annual quantity of 192 TMC ft. of water to be ensured at the inter-State border, presently identified as Billigundulu, as per the prescribed monthly pattern from June of every year to May of next year. The flow of 192 TMC ft. to be ensured at Billigundulu is far below the actual requirement of Tamil Nadu.

The Congress led UPA Central Government in office at that time, which was supported by the then DMK Government in Tamil Nadu, deliberately chose not to publish the Final Order of the Tribunal in the official Gazette of the Government of India, as provided for under Section 6(1) of the Act, and intentionally delayed the notification of the Final Order of the Tribunal. The previous DMK Government in Tamil Nadu also did not press for the immediate Notification of the Final Order in the official Gazette of the Government of India for reasons best known to themselves.

As soon as I assumed office for the third time as Chief Minister in May, 2011, I took vigorous efforts to get the Final Order of the Tribunal notified and, after a protracted legal battle in the Supreme Court, the Final Order of the Tribunal was notified on 19.02.2013 in the official Gazette of the Government of India. However, the Central Government cannot rest with the mere notification of the Final Order but has the constitutional duty and responsibility to constitute a scheme under Section 6A of the Act, viz., the Cauvery Management Board and the Cauvery Water Regulation Committee, immediately following the publication of the Final Order as mandated therein, so that the said Final Order is implemented in all respects.

I would also like to bring to your kind notice that the Constitution of the Cauvery Management Board is not

optional but an integral part of the Final Order itself, which has been notified. Therefore, as a natural corollary and as an extension of the Notification, the Cauvery Management Board should have been formed by the erstwhile Congress led UPA Central Government. However, the erstwhile Congress led Central Government dragged its feet for political considerations and did not form the Cauvery Management Board until it demitted office.

In this context, I would like to bring to your notice that the Cauvery Water Disputes Tribunal, in Chapters 7 and 8 of the Final Order, has mandated the formation of the Cauvery Management Board and the Cauvery Water Regulation Committee, with its composition and functions, particularly in Chapter 8 at pages 216 to 236.

Therefore, the formation of the CMB and CWRC is an integral part of the Final Order of the Tribunal. For your immediate reference, the relevant portions of the Order are reproduced as under:

Chapter 7:

“Para.18 – It may be mentioned that at Inter-State contact point, 192 TMC is to be maintained in a normal year and if there is any deficiency in the quantum of inflows mentioned above, it will be open to the Cauvery Management Board / Regulatory Authority to suitably adjust the flows.”

Para.19 – Note (ii) – The monthly releases shall be broken in 10 daily intervals by the suggested Regulatory Authority while implementing the schedule”.


Para.22 xx xxx “The Cauvery Management Board / Regulatory Authority shall also set up its machinery and devise method to determine quantum of unutilised water to be received from Kerala by Tamil Nadu through Kabini and its tributaries, and ensure delivery thereof in Tamil Nadu at common border”.

Chapter 8:

“xxx. In our opinion, the necessity of setting up a suitable mechanism is of utmost importance; besides whatever machinery is set up should be adequately empowered to implement the Tribunal’s decision, as otherwise, we are afraid our decision would only be on a piece of paper”.

I would like to point out here that unless the Cauvery Management Board is formed, the notification will be only “on a piece of paper” as stated by the Tribunal.

During the last 2 years, we were not able to open the Mettur Dam for irrigation on the scheduled date of June 12 because of poor releases from the upper riparian State of Karnataka. This year too, we have not been able to open the Mettur Dam for irrigation on the scheduled date for want of adequate storage and inflows. This would result in a substantial loss of the Kuruvai paddy crop cultivation in



the Cauvery Delta Districts, which in turn, would not only affect the livelihood of lakhs of farmers and the economy of the State, but would also be a National loss.

The Memorandum submitted to you by the Chief Minister of Karnataka, I reiterate, is full of misleading statements and distorted facts. I would like to place on record the factual position in the annexed statement.

I would like to point out that the final decision of the Cauvery Water Disputes Tribunal which has been published in the Central Gazette on 19.02.2013 is a decision of the Supreme Court by virtue of sub-Section (2) of Section 6 of the Inter State River Water Disputes Act, 1956, and all the authorities in the territory of India, including the Government of Karnataka, have to act in aid of the implementation of the same in terms of the Constitutional mandate. Any objection raised by the Government of Karnataka to the implementation of the decision would be an unconstitutional step and should not be encouraged. It is not open to the Government of Karnataka to raise any objection to the implementation of the decision. The decision of the Tribunal is sacrosanct and is on par with a decision of the Supreme Court. If the Government of Karnataka cannot raise an objection to the decision of the Supreme Court, equally it cannot raise any objection to the decision of the Tribunal. Hence, I request you to overrule the objections raised by the Government of Karnataka



and constitute the Cauvery Management Board and the Cauvery Water Regulation Committee.

I once again wish to reiterate that the Final Order of the Cauvery Water Disputes Tribunal had been notified on February 19, 2013, which clearly envisaged the formation of the Cauvery Management Board and the Cauvery Water Regulation Committee. I would also like to state that immediately after notification in the Gazette, Tamil Nadu has been pressing for the expeditious formation of the Cauvery Management Board. The State of Tamil Nadu had also filed an I.A. (I.A.No.5/2013) before the Supreme Court seeking a direction to the Central Government to constitute the Cauvery Management Board, whereupon the then Additional Solicitor General, appearing for the Government of India, had stated before the Court that “the following up action pursuant to the Notification dated February 19, 2013, is under active consideration of the Central Government”.

When this is so, the statement made by the Union Minister for Water Resources in a Press meet yesterday (12.06.2014) to the effect that – “xxx The proposal was never here. Everything is under consideration and there was no direction from the Hon’ble Supreme Court. We will do everything according to the direction of the Hon’ble Supreme Court and we have decided that no injustice will be done to both the States. That’s it.” has created confusion in the minds of the people of Tamil Nadu.

As the proposal is very much under the active consideration of the Government of India in the Ministry of Water Resources and the previous UPA Government had deliberately dragged its feet for political considerations, I once again exhort you to order the formation of the Cauvery Management Board and the Cauvery Water Regulation Committee immediately so that the Final Order of the Tribunal is implemented in full and the legitimate rights of Tamil Nadu farmers are protected”.

PARAWISE REMARKS OF TAMIL NADU TO KARNATAKA’S MEMORANDUM

Para. 1.

Content of Karnataka’s Memorandum

The inter-State river Cauvery is the lifeline of the State of Karnataka for meeting the irrigation and domestic water needs in the drought stricken areas in the Cauvery Basin and Bangalore.

Remarks by Tamil Nadu

The river Cauvery is the lifeline of Tamil Nadu and has age old irrigation and ayacut for centuries in the delta area of Tamil Nadu. Karnataka has been denying the due share of water year after year to Tamil Nadu and Tamil Nadu has been forced to approach the Supreme Court time and again to get its due and legitimate share of water.

Para. 2.

Content of Karnataka's Memorandum

The genesis of the water disputes between the riparian States lies in the unjust and unreasonable agreement imposed by the imperial British power on the Maharaja of Mysore in 1892 and 1924 depriving the people of Mysore (now Karnataka) their equitable share in the waters of Cauvery. In 1990, the water disputes between the riparian States of Karnataka, Tamil Nadu, Kerala and Union Territory of Pondicherry were referred to the Cauvery Water Disputes Tribunal. However, the said Tribunal by its purported Decision passed in February 2007 enforced the pre-constitutional agreements imposed on Mysore (now Karnataka) and distributed 740 tmc between the riparian States of Karnataka (270 tmc), Kerala (30 tmc), Tamil Nadu (433 tmc) and Union territory of Pondicherry (7 tmc) and directed the State of Karnataka to ensure 192 tmc at the inter-State border Biligundlu in a normal water year.

Remarks by Tamil Nadu

(a) The Agreements of 1892 and 1924 were not imposed on the Maharaja of Mysore by the then British Government. These two Agreements are validating and were discussed at various levels and were executed by the competent authorities. To quote “Para 63 – Competent

Authorities on behalf of both the States after proper application of mind and discussion and consultation entered into those Agreements.” (Volume II page 43 of Final Order)

(b) The actual allocation by the Cauvery Water Disputes Tribunal to Tamil Nadu is 419 TMC ft. out of 740 TMC ft. Karnataka has included the quantity provided for the inevitable escapages to the sea (4 TMC ft.) and environmental protection (10 TMC ft.) in the Tamil Nadu allocation which is mischievous and typical of Karnataka’s attitude.

(c) In fact it is the case of Tamil Nadu that the Tribunal has allocated more water to Karnataka than what is required and due to Tamil Nadu. The Tribunal has not taken Tamil Nadu’s Sethiathope Anicut etc., into consideration and Tamil Nadu has appealed against the Order of the Tribunal.

Para. 3.

Content of Karnataka’s Memorandum

Being aggrieved against the lesser allocation of 270 tmc though Karnataka contributes about 400 tmc of water to the Basin yield of 740 tmc, Karnataka preferred an SLP in the Hon’ble Supreme Court. After admission, the SLP is numbered as Civil Appeal No.2453/2007, which is pending for hearing before the Division Bench of three Hon’ble Judges.

Remarks by Tamil Nadu

The pendency of the Civil Appeals was not a bar for the notification of the Final Order of Cauvery Water Disputes Tribunal. The formation of the Cauvery Management Board/ Cauvery Water Regulation Committee is an integral part of the notified Final Order. Therefore, pendency of the Civil Appeals is not a bar on the formation of the Board. The Final Order of the Cauvery Water Disputes Tribunal is in law an order of the Supreme Court by virtue of Sub-Section 2 of Section 6 of Inter State River Water Disputes Act, 1956

Para. 4.

Content of Karnataka's Memorandum

Despite the lesser allocation of 270 tmc to Karnataka and placing a heavy burden of release of 192 tmc in normal year to Tamil Nadu at the inter State border Biligundulu, the State of Karnataka agreed to the publication of the Final Order and Decision of 2007 superseding the interim Order dated 25.06.1991 whereby the State of Karnataka was directed to ensure 205 tmc at Mettur in Tamil Nadu. Accordingly, the said Final Order and Decision was published by the Central Government under Sec.6(1) of the Inter-State River Water Disputes Act, 1956, vide notification dated 19.02.2013. However, it is expressly clarified that the said publication is without prejudice to

the contentions of the States in the pending Civil Appeals challenging the final order and decision of the Tribunal.

Remarks by Tamil Nadu

Karnataka had agreed to the publication of the Final Order of the Cauvery Water Disputes Tribunal before the Supreme Court.

It is the case of Tamil Nadu that the pendency of Civil Appeals is not a prohibition for the formation of the Board, as the Cauvery Management Board and Cauvery Water Regulation Committee is a natural corollary to the notification of the Final Award of the Tribunal. The Cauvery Water Disputes Tribunal in its report Volume V, Chapter 8, Page 223 has recommended the formation of the Cauvery Management Board and Cauvery Water Regulation Committee and has defined its composition, powers and functions.

Para. 5.

Content of Karnataka's Memorandum

Subsequently and contrary to the understanding, the State of Tamil Nadu raised the issue of constitution of Cauvery Management Board for implementation of the said published final order and decision. The State of Karnataka opposed the said demand of Tamil Nadu by specifically pointing out that the Cauvery Management Board is not a part of any of the provisions of the said

published final order and decision of the Tribunal. It has been also pointed out that the Tribunal has not directed for the constitution of the Cauvery Management Board, but has only made recommendation as clarified in the Report (page 223, Vol.V of the Report) which is not a part of the published final order and decision of the Tribunal. The relevant part of the Report is as follows:

“For this purpose, we recommend that Cauvery Management Board on the lines of Bhakra Beas Management Board may be constituted by the Central Government.”

Remarks by Tamil Nadu

It is a misleading statement by Karnataka that Tamil Nadu raised the issue of Cauvery Management Board and Cauvery Water Regulation Committee contrary to the “understanding”. There was no such “understanding” by any State, let alone Tamil Nadu, that Cauvery Management Board and Cauvery Water Regulation Committee can await the final disposal of SLPs. In fact, the notification of the Cauvery Water Disputes Tribunal will become a meaningless and futile exercise if the Cauvery Management Board and Cauvery Water Regulation Committee are not formed.

Following the notification of the Final Order on 19.2.2013, the said order is a Decree of the Supreme

Court. The Interim Order which was in existence ceased to exist and there is no permanent machinery to properly implement the Final Order. Hence, Tamil Nadu has been urging the Government of India for the constitution of the Cauvery Management Board (CMB) and the Cauvery Water Regulation Committee (CWRC). The formation of the CMB is an integral part of the Final Order. It is, therefore, a mandatory provision contained in the Final Order. The relevant portions of the Final Order extracted below will amply demonstrate the mandatory nature of the Final Order to constitute the CMB.

“Para.18 Chapter 7 page 208 – It may be mentioned that at Inter-State contact point, 192 TMC is to be maintained in a normal year and if there is any deficiency in the quantum of inflows mentioned above, it will be open to the Cauvery Management Board / Regulatory Authority to suitably adjust the flows.”

Para.19 – Note (ii) – The monthly releases shall be broken in 10 daily intervals by the suggested Regulatory Authority while implementing the schedule.”-

Para.22 xx xxx “The Cauvery Management Board / Regulatory Authority shall also set up its machinery and devise method to determine quantum of unutilised water to be received from Kerala by Tamil Nadu through Kabini and its tributaries, and ensure delivery thereof in Tamil Nadu at common border.”

It is also mischievous on the part of Karnataka to state that the recommendation to form the Board is not a part of the published Final Order. In fact, all recommendations notes etc., have been notified by the Final Notification on 19.02.2013 as contained in Clause XVII of the notification which is extracted below:-

“Class XVII – In addition, note shall be taken of all such orders, directions, recommendations, suggestions etc., which have been detailed earlier in different chapters/ volumes of the report with decision for appropriate action.”

Therefore, this plea of Karnataka is legally untenable.

Para. 6.

Content of Karnataka’s Memorandum

While recommending the powers and functions of the Cauvery Management Board and Regulation Committee thereunder, Tribunal has gone beyond the powers required for the implementation of the Final Order and Decision of the Tribunal. For instance, it is suggested that the State will have to indent for the release of water, which will be approved by the Cauvery Management Board keeping in view the reasonableness of the indents. Thus, the Cauvery Management Board unduly infringes upon the authority of the State of Karnataka to use even its allocated share of water. How and in what manner the State of Karnataka utilises its share of water is none of the concern of Tamil

Nadu, as long as, Karnataka ensures 192 tmc at the inter State border at Biligundulu in a normal water year.

Remarks by Tamil Nadu

The Tribunal has gone into the aspects of Krishna Water Disputes Tribunal Award (1976) and Narmada Water Disputes Tribunal Award (1979) and also the amendment of Section 6A of the Act and recommended the constitution of the CMB. The Tribunal has clearly stated its position about the necessity for setting up a suitable mechanism, besides stating that whatever machinery is set up should be adequately empowered to implement the Tribunal's decision, as otherwise, the decision would only be on a piece of paper. Para 14 in Chapter 8 page 223 of the Final Order of the Tribunal states as follows:-

“For this purpose, we recommend that Cauvery Management Board on the lines of Bhakra Beas Management Board may be constituted by the Central Government. In our opinion, the necessity of setting up a suitable mechanism is of utmost importance; besides whatever machinery is set up should be adequately empowered to implement the Tribunal's decision, as otherwise, we are afraid our decision would only be on a piece of paper.”

It may be incidentally stated that the Govt. of Karnataka before the Krishna Water Disputes Tribunal had urged

the constitution of an appropriate mechanism for the implementation of the decision of the Krishna Water Disputes Tribunal. The KWDT –II in its decision dated 29.11.2013 at page 356 has stated as follows:

“The Tribunal, therefore, in its opinion, had jurisdiction to give necessary direction for setting up a machinery with provision for review to ensure that the decision of the Tribunal is faithfully implemented by the parties concerned.”

The Tribunal has further said “whereas the Tribunal’s jurisdiction under Section 5(ii) and 5(iii) have not been limited or circumscribed, it is to frame a scheme in the decision itself for facilitating the parties to discharge the legal obligation to give effect to the decision.” (vide page 359 of KWDT Award). The Tribunal has also held as follows: (a) The power to frame a scheme under Section 6A is not thus mutually exclusive. On the contrary, the provisions contained in Section 6 and 6A are mutually inclusive. (vide page 360). (b) Section 6A by no means of imagination take away the jurisdiction inherent or implicit in the Tribunal to make provisions for the parties to comply with the implementation of the decision. (page 361)”. (c) “If the order by the Tribunal itself contains provisions for implementation, the Central Government may, if necessary, supplement the same. The legislature could never intend nor had ever intended to exclude the

jurisdiction of the Tribunal. Such interpretation cannot be conceived in view of the legislative intent implicit in the enactment in the context of Section 11 of the Act.” (page 361)

Thus Karnataka has been arguing differently in Krishna and Cauvery cases. Thus, it is clear that the sole purpose of the Memorandum submitted by Karnataka is to deny Tamil Nadu its rightful share of Cauvery waters as allocated by the Cauvery Water Disputes Tribunal.

Para. 7.

Content of Karnataka’s Memorandum

The State of Tamil Nadu filed I.A.No.5 before the Hon’ble Supreme Court in Civil Appeal No.2456/2007 seeking direction against the Central Government to constitute Cauvery Management Board. However, as a pro tem measure pending the Civil Appeals, the Hon’ble Supreme Court passed the order on 10.05.2013 directing the constitution of the Supervisory Committee headed by the Secretary in the Union Ministry of Water Resources and consisting of Chief Secretaries of the party States of Karnataka, Tamil Nadu, Kerala and Union Territory of Pondicherry for the implementation of the Final Order and Decision of the Tribunal published on 19.02.2013.

Remarks by Tamil Nadu

The constitution of the Pro tem Supervisory Committee

is only a temporary arrangement without prejudice to the pending Civil Appeals in the Supreme Court. The then Additional Solicitor General Mr. Sidharth Luthra stated before the Court that follow up action pursuant to the Notification dated February 19, 2013 is under active consideration of the Central Government. Thereupon, the Court had ordered that “until that is done, some arrangement shall have to be made. The arrangement made hereunder is purely pro-tem measure for the purpose of ensuring the final order of the Cauvery Water Disputes Tribunal dated February 5, 2007, now notified vide Notification dated February 19, 2013.” It is the case of Tamil Nadu that the pro tem Supervisory Committee has not been effective in implementing the Final Order of the Tribunal as ordered by the Supreme Court. It is, therefore, necessary to constitute the Cauvery Management Board as a permanent measure to effectively implement the Final order of the Tribunal.

Para. 8.

Content of Karnataka’s Memorandum

Despite the above order dated 10.05.2013, the State of Tamil Nadu moved another application being I.A.No.6 of 2013 seeking constitution of the Cauvery Management Board. However, the application was permitted to be withdrawn after recording the statement from its counsel.

The relevant part of the order dated 05.08.2013 is extracted below:

ORDER

“Having regard to good rains presently, learned Senior Counsel for the Applicant State of Tamil Nadu is not desirous of pressing I.A No. 6 of 2013. It is disposed of as withdrawn. Liberty to make fresh application at appropriate stage.....”

Remarks by Tamil Nadu

The Supreme Court has recorded about the good rains at that point of time and accordingly disposed of the I.A. of Tamil Nadu as withdrawn with liberty to make fresh petition when any contingency arises. As liberty to make further application had been given, the State of Tamil Nadu had moved another I.A. (I.A.No.7 of 2013) on 11.11.2013.

Para. 9 & 10.

Content of Karnataka’s Memorandum

Surprisingly, Tamil Nadu filed another application being I.A.No.7 of 2013 again asking for the constitution of the Cauvery Management Board. The I.A. was listed for hearing before the Hon’ble Supreme Court (Bench consisting of Justice Mr.R.M.Lodha, Justice Mr.Madan Lokur and Justice Mr.Kurian Joseph) which, inter alia, passed the following order on 03.12.2013:

O R D E R

“We do not think that there is any urgency for consideration of the prayers made by the Applicant / Appellant – State of Tamil Nadu by means of this Application.

In our view, the Application can wait and may be heard along with the Civil Appeal. List Interlocutory Application No. 7 of 2013 along with Civil Appeal.

The Respondents, State of Karnataka as well as Union of India, may file their response to Interlocutory Application No. 7 of 2013 within four weeks”.

(emphasis supplied)

Hence, the matter is directly covered, one way or the other by the orders of the Hon’ble Supreme Court. The insistence of Tamil Nadu to set up Cauvery Management Board is unjustified.

Remarks by Tamil Nadu

The inaction of the previous Government for extraneous reasons i.e., political considerations, was the main reason for not forming the Cauvery Management Board and Cauvery Water Regulation Committee. When an undertaking is given by the counsel of Government of India in the Supreme Court that the formation of the Board, “is under active consideration of the Government of India” and no concrete action is taken by the Government of India for

months thereafter, the only recourse left was to approach the Hon'ble Supreme Court, since, season after season, acute agrarian distress is being forced upon the farmers of Tamil Nadu. The pro tem Supervisory Committee has also not fulfilled its obligations in implementing the Final Order of the Tribunal in letter and spirit. Therefore, Tamil Nadu had to file an I.A. once again for the constitution of the CMB.

Karnataka is seeking to obfuscate the basic fact that there is no legal bar on the formation of the Cauvery Management Board and Cauvery Water Regulation Committee after the notification of the Final Order is sought to be obfuscated. Tamil Nadu appeals to the Hon'ble Prime Minister, that, as the Cauvery Water Disputes Tribunal Order once notified is equivalent to a decree of the Supreme Court and since the formation of the Cauvery Management Board and Cauvery Water Regulation Committee are an integral part of the notified Final Order, it is only but natural that Government of India should form the Cauvery Management Board and Cauvery Water Regulation Committee. Tamil Nadu is fully justified in seeking the formation of the Cauvery Management Board and Cauvery Water Regulation Committee.

Para. 11.

Content of Karnataka's Memorandum

In the counter affidavit filed by the State of Karnataka against IA 7, it has been inter alia averred that:

The Notification dated: 22.05.2013 constituting the Supervisory Committee under Section 6A of the Act of 1956 has not been challenged.

The Civil Appeal 2453 of 2007 of Karnataka challenging the Final Order and Decision dated: 05.02.2007 which was published on 19.02.2013 is pending consideration before this Hon'ble Court and it is fixed for hearing on 15.01.2014 vide order dated: 05.08.2013. If the prayer of Tamil Nadu in instant I.A. is granted constituting the Cauvery Management Board, the plea of the State of Karnataka may become infructuous.

The Cauvery Management Board and the Regulatory Committee there under are not part of the Final Order and Decision published on 19.02.2013. There was no mandatory direction issued by the Tribunal as alleged. The Tribunal in its Report (para 14, page 223 : page 874 of the SLP Paper Book) has specifically stated that:

“14. For this purpose we recommend that Cauvery Management Board on the lines of Bhakra Beas Management Board may be constituted by the Central Government. In our opinion, the necessity of setting up a suitable mechanism is of at most importance; besides what ever machinery is set up should be adequately empowered to implement the Tribunal's decision, as otherwise, we are afraid our decision would only be on a piece of paper”.

(emphasis applied)

Tamil Nadu's reliance on Clause – XVII of the Final Order and Decision is again misleading. No mandate can be deduced from Clause – XVII. Even here, what is required to be taken note of is the “decision” and not the recommendation. The recommendation remains recommendation and all that is required in Clause – XVII is that “note shall be taken”. The said Clause is extracted below for immediate reference :

“In addition, note shall be taken of all such orders, directions, recommendations, suggestions etc., which have been detailed earlier in different chapters / volumes of the Report with decision for appropriate action”. (Emphasis supplied)

The constitution of an authority under Section 6A of the Act of 1956, is delegated legislation as held by Justice U.C.Banerjee in his concurring opinion in the case of State of Karnataka Vs State of Andhra Pradesh and Others in [(2000) 9 SCC 572 at 701-702]. No mandamus can be issued. Relevant portion of the concurring judgement is quoted below:

“The Law as regards the issuance of a mandatory order or writ depends upon the authority exercising the power as well as the nature of the function and obligations arising there from. It is settled law that such a direction cannot possibly be granted so as to compel an authority to exercise a power which has a substantial element of discretion.

In an event the mandamus to exercise a power which is legislative in character cannot be issued and I am in full agreement with the submission of Mr. Solicitor General on this score as well. At best it would only be an issue of good governance but that by itself would not mean and imply that the Union Government has executive power even to force a settlement upon the State.

161. In that view of the matter the suit being OS No.1 of 1997 though otherwise maintainable but it devoid of any merit and the reliefs prayed for are wholly unwarranted in the contextual facts as such dismissed without however any order as to costs”. [(2000) 9 SCC 572 at 701-702]

v). In any case, no mandate to constitute the Cauvery Management Board could have been issued to the Central Government by the Tribunal, since the Central Government was not a party to the Water Dispute before the Tribunal.

Remarks by Tamil Nadu

Section 6A of the Inter-State River Water Disputes Act 1956, enables the Central Government to frame a scheme or schemes whereby provision may be made for all matters necessary to give effect to the decision of the Tribunal. The power under Section 6A of the Act is without prejudice to Section 6 of the Act meaning thereby that the Scheme framed under Section 6A of the Act shall not affect the mandatory provision that the party States

are bound to give effect to the binding decision published in the official Gazette. There is no bar to constituting the machinery provided for in the Final Order when the Civil Appeals are pending before the Supreme Court. As stated earlier, Clause XVII of the Final Order (page 243 Volume V) clearly says “recommendations etc”, detailed earlier in different Chapters /Volumes of the Report with decision are for appropriate action. Hence it cannot be said that all the orders of the Tribunal contained in 5 Volumes should be published in the Gazette of India so as to give effect to the award of the Tribunal rendered under Section 5(2) of the Act.

As per the Inter State River Water Disputes Act, 1956, there is no need or necessity for the Central Government to implead itself as a party to a Water Dispute before the Tribunal, since the water disputes would be between the States. Karnataka’s contention that the direction to form a Board cannot be given to the Central Government as it is not a party to the proceedings is wrong and legally untenable. The Final Order of the Krishna Water Disputes Tribunal II at page 361 has stated as follows:- “If the Orders by the Tribunal itself contains provision for implementation, the Central Government may, if necessary, supplement the same. The legislature could never intend nor had ever intended to exclude the jurisdiction of the Tribunal. Such interpretation cannot be conceived in view

of the Legislative intent implicit in the enactment in the context of Section 11 of the Act”.

The Tribunal has been formed under an Act of the Parliament. This ridiculous and frivolous contention of Karnataka, if accepted, would mean that no Board or implementation authority can be formed by the Central Government in any Inter-State Water Dispute.

Para. 12.

Content of Karnataka’s Memorandum

The Supervisory Committee has been duly functioning having held 4 meetings in the year 2013 on 01.06.2013, 12.06.2013, 15.07.2013 and 08.11.2013 and the minutes have been duly drawn and submitted and its observations have been duly complied with.

Remarks by Tamil Nadu

The pro-tem Supervisory Committee has not been able to function effectively to implement the order fully. Therefore, the permanent machinery of CMB and CWRC is absolutely essential.

Para. 13.

Content of Karnataka’s Memorandum

The Supervisory Committee appointed by the order of the Supreme Court is having considerable authority

than those which was envisaged by the Tribunal in its recommendation of a Cauvery Management Board – clauses of which have been expressly challenged in the pending Civil Appeal No.2453/2007.

Remarks by Tamil Nadu

It is the grievance of Tamil Nadu that the pro-tem Supervisory Committee is not implementing the Final Order of the Tribunal dated 05.02.2007 in letter and spirit. By its definition the Supervisory Committee is a “pro tem committee.” It cannot and would not be a substitute for the Cauvery Management Board and Cauvery Water Regulation Committee as envisaged by the Cauvery Water Disputes Tribunal.

Para. 14.

Content of Karnataka’s Memorandum

Karnataka has scrupulously followed the direction of the Supervisory Committee till date – thus for instance in the year 2013 it has delivered 260 tmc of water to Tamil Nadu at Biligundulu – more than the stipulated quantity of 192 tmc as prescribed by the Tribunal.

Remarks by Tamil Nadu

During the year 2013-2014, the State of Karnataka did not ensure the proportionate quantity of water due at Biligundulu in the first two 10 day periods from June 1

to 20, even though it had sufficient storage and received inflows. Only after 25th June, 2013, flood waters from Kabini started flowing into Tamil Nadu after Karnataka had reached its FRL. Further, the monthly releases and weekly releases as stipulated by the Final Order of the Cauvery Water Disputes Tribunal were not adhered to by Karnataka. In fact, in the previous year 2012-2013 there was a shortfall of over 58 TMC.ft.of water even by the distress sharing method as Karnataka refused to release any water and impounded all the waters in its reservoirs. In fact, it is this very uncertainty and arbitrariness in release of water to Tamil Nadu by Karnataka that should be put an end to and this can happen only by the formation of the Cauvery Management Board and Cauvery Water Regulation Committee.

Para. 15.

Content of Karnataka's Memorandum

It is respectfully submitted that in the light of the foregoing, what is imperative is an immediate meeting of the Supervisory Committee headed by the Secretary, Ministry of Water Resources and including Members as Chief Secretaries of the respective States can take stock of the situation and issue appropriate directions.

Remarks by Tamil Nadu

As per the Final Order of the Cauvery Water Disputes

Tribunal, in the month of June, 10 TMC.ft. of water should be given to Tamil Nadu by Karnataka. The Tribunal in its order has allocated 134 TMC.ft. of water to Tamil Nadu between June to September. Karnataka has contended in its comments to the Agenda items of the 1st meeting of the Supervisory Committee that it will not be able to release the prescribed amount of water to Tamil Nadu as mandated by the Cauvery Water Disputes Tribunal.

Therefore, it is strange that Karnataka is asking for a meeting of the Supervisory Committee. The need of the hour for Tamil Nadu is the formation of the Cauvery Management Board and the Cauvery Water Regulation Committee to alleviate agrarian distress in the delta districts of Tamil Nadu and therefore we request the immediate formation of the Cauvery Management Board and Cauvery Water Regulation Committee.


Para. 16.

Content of Karnataka's Memorandum

We request you to await the final decision of the Hon'ble Supreme Court in the above Civil Appeals before any consideration with regard to the constitution of Cauvery Management Board is taken by the Central Government.

Remarks by Tamil Nadu

The Hon'ble Chief Minister in her Memorandum presented to the Hon'ble Prime Minister on 03.06.2014,



had pointed out that the functioning of the pro-tem Supervisory Committee is not effective. The pro-tem Supervisory Committee, being a temporary arrangement as observed by the Supreme Court, cannot be continued for a longer period since it would delay the implementation of the Final Order of the Tribunal. Therefore, the formation of the CMB and CWRC is absolutely essential to meet the ends of justice, failing which the Final Order of the Cauvery Water Disputes Tribunal though notified by the Government of India in the Government Gazette will remain an unfulfilled dream.







**Thanks for Panel on
Mullai Periyar Dam**





D.O. letter dated 18.06.2014

“I thank you for the decision of the Union Cabinet which met today (18.6.2014) and approved the constitution of the Supervisory Committee for the Mullai Periyar dam as mandated by the Supreme Court in its judgement dated 07.05.2014. As you would recall, when I met you on 3rd June, 2014, and presented a Memorandum, I had requested you to immediately constitute the Supervisory Committee to raise the water storage level of Mullai Periyar dam to 142 ft. The decision of the Union Cabinet to constitute the Supervisory Committee will help mitigate the distress of the farmers in the five Southern Districts of Tamil Nadu dependent on Mullai Periyar water. Your prompt action in this regard is deeply appreciated”.



**Seeking Prime Minister's Personal
Intervention for Immediate
Release of Fishermen**

D.O. letter dated 19.06.2014

“It deeply pains me to have to write to you yet again, bringing to your notice two separate incidents in which 46 Indian fishermen along with 11 boats from Tamil Nadu have been apprehended by the Sri Lankan Navy. 24 fishermen in 6 mechanized fishing boats bearing registration Nos. IND/TN/08/MM/90, IND/TN/08/MM/371, IND/TN/08/MM/321, IND/TN/10/MM/644, IND/TN/10/MM/647 and IND/TN/10/MM/798, set out for fishing from Kottaipattinam fishing base in Pudukottai District. On the evening of 18.06.2014, they were apprehended by the Sri Lankan Navy and taken to Kankesanthurai, Sri Lanka.

In yet another incident, five mechanized fishing boats bearing registration Nos. IND/TN/10/MM/65, IND/TN/10/MM/457, IND/TN/10/MM/472, IND/TN/10/MM/304 and IND/TN/10/MM/436, with 22 fishermen from Rameswaram fishing base of Ramanathapuram District,

have been apprehended by the Sri Lankan Navy in the night of 18.06.2014, and taken to Thalaimannar, Sri Lanka. Further, one mechanized fishing boat bearing registration No.IND/TN/10/MM/038 was damaged by the Sri Lankan Navy and the boat was reported to have sunk and the five fishermen on board were rescued by fellow fishermen. The five fishermen have returned to Rameswaram safely.

On the two previous occasions when I had brought such instances to your kind notice, your immediate response in ensuring the release and repatriation of all the fishermen from Tamil Nadu who were apprehended by the Sri Lankan Navy was widely appreciated by all sections of Society in Tamil Nadu.

Unfortunately, while the fishermen have been released, their boats and fishing gear, which are essential for them to earn their livelihood, have not yet been released. Long periods of disuse would condemn the boats and equipment to ruin and the poor fishermen, who are currently suffering a temporary loss of livelihood, would be subjected to a huge permanent loss. Hence, it is essential that the early release of the boats and fishing gear is also secured.

In your reply dated 4th June, 2014, to my letter on this issue, you had also sought our co-operation for the release of arrested Sri Lankan fishermen. On our part, Tamil Nadu, as a reciprocal gesture of goodwill, has released all the Sri Lankan fishermen who were in our custody.

In this context, the latest belligerent act of the Sri Lankan Navy perpetrated on innocent and unarmed Indian fishermen with a motive to intimidate and prevent them from venturing into their traditional fishing waters in the Palk Bay and in the vicinity of Katchatheevu, which has always been a part of the traditional fishing area of our fishermen, adds to the immense frustration that has built up among the fishermen community of Tamil Nadu.


My Government strongly believes that the unconstitutional Indo-Sri Lankan Agreements of 1974 and 1976 should be nullified and the traditional rights of our fishermen restored at the earliest. I would like to reiterate that the Government of India should not treat the International Maritime Boundary Line (IMBL) with Sri Lanka as a settled question as the constitutionality of the 1974 and 1976 agreements have been challenged on extremely valid and legal grounds in the Hon'ble Supreme Court of India. I had personally filed W.P. (Civil) No.561/2008, in which the Government of Tamil Nadu had also subsequently impleaded itself. The main prayer before the Supreme Court is to declare the 1974 and 1976 agreements along with the Executive Order of 1976 as null and void in the absence of the required mandatory Constitutional amendment, and to retrieve Katchatheevu for India. Our stand is that Katchatheevu has always been a part of India, geographically, culturally and historically

and needs to be retrieved, keeping in view the livelihood interests and security of lakhs of Indian fishermen.

Moreover, our fishermen belonging to districts abutting the Palk Bay continue to fish for basic livelihood in their traditional waters where they have been historically fishing before any politically or any artificially drawn boundaries were created.

My Government has taken many steps towards diversification of fishing activities amongst the Palk Bay fishing communities, including provision of subsidy assistance for purchasing deep sea tuna long liners and promoting use of gill nets. We have also proposed the development of fishing harbours with fish landing facilities at Mookkaiyur and Rameswaram in Ramanathapuram District. The above steps would reduce the pressure in the Palk Bay. These proposals were included in the Memorandum I presented to you on 03.06.2014.

We have also encouraged the fishermen level talks so that a sustainable and permanent solution through bilateral talks is worked out. While the bilateral fishermen level talks held at Chennai on 27.01.2014 yielded positive responses, the subsequent talks held at Colombo on 12.05.2014 could not make any headway thanks to the premeditated obstructionist stance of the Sri Lankan officials. But we are committed to continuing the dialogue process of the stakeholders.



It is heartening to note from your letter dated 4th June, 2014, that the Union Government is in agreement with the State Government on ensuring the livelihood, safety, security and welfare of our fishermen. I am sure the Government of India and Government of Tamil Nadu, working in tandem, can find a lasting solution to this issue. The vexatious issue of ensuring the safety, security and livelihood of our fishermen in the Palk Bay requires a strong and sustained diplomatic response so that a lasting solution, including the restoration of fishing rights of Indian fishermen in their traditional fishing waters, is found.

I exhort you to take immediate action through diplomatic channels to secure the release of all the 46 Indian fishermen from Tamil Nadu who are in Sri Lankan custody along with their 11 boats as well as the release of the earlier apprehended 23 boats which are still in Sri Lankan custody and arrange for their immediate repatriation. May I request your immediate personal intervention in this matter?"






Seeking Help to Rescue Nilgiris Nurses from Iraq




D.O. letter dated 19.06.2014

“As you are aware, 46 Indian nurses working in Tikrit General Hospital in Iraq are trapped in the current conflict in that country. Six (6) of these nurses, Sini, Sili, Simi, Aleena, Neethu and Maneetha are from the Nilgiris district in Tamil Nadu. Their families are extremely anxious about the safety of these young nurses. These nurses are innocent bystanders, rendering valuable service to the health system of Iraq. India and the international community at large are duty bound to ensure their safety and to provide them a safe passage back to their homeland.

Hence, I would be grateful if you could kindly intervene personally and take up the matter at the highest level in Iraq and with other international agencies including the United Nations and the Red Crescent to secure the safety and security of the Indian nurses, including the six from Tamil Nadu and arrange for their safe passage back to India”.





**Reminding the Centre of Provision
of Use of English**



D.O. letter dated 20.06.2014

“It has come to my notice that the Ministry of Home Affairs has issued two Office Memoranda, the first by the Official Language Department of the Ministry of Home Affairs (O.M.No.12019/03/2014-OL, dated 10.03.2014) and the second by the Co-ordination Division of the Ministry of Home Affairs (O.M.No.11020/01/2013-Hindi, dated 27.05.2014). These Office Memoranda direct that official accounts on social media like Facebook, Twitter, blogs, Google and You Tube which at present use only English should compulsorily use Hindi, or both Hindi and English, with Hindi being written above or first. This makes the use of Hindi mandatory and English optional.

As you are aware, as per the Official Languages Rules, 1976, communications from a Central Government office to a State or Union Territory in Region “C” or to any office (not being a Central Government office) or person


in such State shall be in English. This provision has been introduced following the introduction of a mandatory proviso to Section 3(1) of the Official Languages Act, 1963, by an amendment in 1968 which states as follows:-

“Provided that the English language **shall** be used for purposes of communication between the Union and a State which has not adopted Hindi as its official language”.

In this context, while the Office Memoranda have been primarily made applicable to Government of India officers and offices located in “Region A”, social media by their very nature are not only accessible to all persons on the internet but meant to be a means of communication to persons living in all parts of India including those in “Region C”. People located in “Region C” with whom the Government of India communication needs to be in English, will not have access to such public information if it is not in English. This move would therefore be against the letter and spirit of the Official Languages Act, 1963. As you are aware, this is a highly sensitive issue and causes disquiet to the people of Tamil Nadu who are very proud of and passionate about their linguistic heritage.

Hence, I request you to kindly ensure that instructions are suitably modified to ensure that English is used on social media.

In the Memorandum that I had presented to you on



03.06.2014 I had also raised the long pending demand of the people of Tamil Nadu to make the ancient Tamil language an official language of India. I had also urged that all the languages included in the VIII Schedule of the Constitution of India be declared as official languages of India. If this request is fulfilled the use of all official languages on social media can be encouraged.”






**Plea for Strong Diplomatic
Action to Free Fishermen**



D.O. letter dated 29.06.2014

“I would like to thank you for your prompt and positive response to my earlier letter dated 19th June, 2014. The effective intervention by the Government of India led to the release of 46 fishermen who had been apprehended by the Sri Lankan Navy on 18th June, 2014. In response to my letter dated 24.06.2014, it is reported that 7 fishermen in 1 mechanized boat detained by the Sri Lankan Navy on 19.06.2014 have also been released. However, 11 more fishermen who were apprehended on the 23rd of this month are yet to be released by the Sri Lankan Government. Further, the boats and gear of the fishermen released so far are yet to be returned to them, thus affecting their livelihood.

Meanwhile, I am compelled to bring to your notice yet another needlessly aggressive act committed by the Sri Lankan Navy in which 17 fishermen from Rameshwaram fishing base of Ramanathapuram District




of Tamil Nadu have been detained. It is reported that 17 fishermen in 3 mechanized fishing boats set out for fishing from Rameshwaram fishing base on 28.06.2014 and in the early hours of 29.06.2014 they were apprehended by the Sri Lankan Navy and taken to Thalaimannar, Sri Lanka.

These continued and repeated instances of apprehension and abduction of our fishermen by the Sri Lankan Navy are adding to the very heightened sense of unrest and resentment among the Tamil Nadu fishermen who are struggling to eke out their livelihood from a very difficult and increasingly dangerous profession.

You will no doubt recall from my earlier letters that our fishermen pursue their traditional avocation in their historic and traditional fishing waters of the Palk Bay. I would like to reiterate that the Government of India should not treat the International Maritime Boundary Line (IMBL) with Sri Lanka as a settled question as the very ownership of Katchatheevu islet and the unconstitutionality of the 1974 and 1976 agreements by which the islet was ceded to Sri Lanka are the subject matter of litigation in the Hon'ble Supreme Court of India.

Hence it is imperative that the traditional livelihood of our fishermen should not be allowed to be disrupted by the hostile actions of the Sri Lankan Navy. My Government looks to your immediate and emphatic response to this issue and to ensure that it is taken up at the highest levels



of the Sri Lankan Government, so that our fishermen are not repeatedly arrested and abducted in the high seas of the Palk Bay.

I request you to kindly ensure an early and strong diplomatic action to secure the immediate release of all the 28 Indian fishermen along with their 41 fishing boats, including the 11 fishermen and 38 boats already in Sri Lankan custody. I look forward to an early and decisive response.”






High Hopes on Raising Level of Mullai Periyar Dam






D.O. letter dated 02.07.2014



“The Government of Tamil Nadu has received the Government of India, Ministry of Water Resources order constituting the Supervisory Committee to implement the Order of the Supreme Court dated 07.05.2014, on the Mullai Periyar Dam for increasing the water level initially to 142 ft. You would recall that I had raised this issue in the Memorandum I had presented to you on 3rd June, 2014. I am grateful that on my request the matter was expeditiously placed before the Union Cabinet. I sincerely thank you for your prompt action in acceding to my request and constituting the Supervisory Committee.

I fervently hope that the Supervisory Committee will accomplish the task of restoration of the water storage level in the Mullai Periyar Dam to 142 ft. initially as per the judgement and order of the Supreme Court during the current South West Monsoon period itself.”



**Expressing Shock at MEA Stand
on Maritime Boundary**

D.O. letter dated 02.07.2014

“In the counter affidavit filed by the Ministry of External Affairs, Government of India, before the Madras High Court in Writ Petitions filed by the Fisherman Care of Pallavaram it has been indicated that the Maritime Boundary between India and Sri Lanka is a settled matter. The counter affidavit further indicates that Indian fishermen have no traditional fishing rights in the area around Katchatheevu Island. It appears that the counsels representing the Ministry of External Affairs have also orally reiterated the same stand before the First Bench of the Madras High Court.

I was appalled and shocked to read the newspaper reports relating to this matter. Perhaps this counter affidavit had been prepared and approved by the earlier UPA Government and the matter was not brought to your personal attention.

In this context, you would recollect that I had specifically raised the issue of retrieving India's sovereignty over the Katchatheevu Island in the Memorandum I had presented to you on 3rd June, 2014. It has always been the stand of my Government that Katchatheevu is an integral part of the territory of India. This small island of approximately 285 acres in the Palk Straits off Rameswaram, is part of Ramanthapuram District of Tamil Nadu. It was originally under the ownership of the Raja of Ramanathapuram for which there is sufficient documentary proof. The Indian fishermen enjoyed traditional fishing rights in and around the island of Katchatheevu and the Palk Bay. As per Agreements entered into by the Government of India in 1974 and 1976, Katchatheevu was ceded to Sri Lanka and the fishermen of Tamil Nadu have been deprived of their fishing rights around Katchatheevu and the Palk Bay ever since then.

As early as in 1991, the Tamil Nadu Legislative Assembly passed a Resolution seeking the restoration of Katchatheevu Island and the sea area adjacent to it to India. I have personally filed a Writ Petition (W.P. (Civil) No.561/2008) in this regard in the Supreme Court of India in 2008 and the Revenue Department, Government of Tamil Nadu, has also impleaded itself in 2011.

As per the order of the Supreme Court of India in the Berubari case of 1960, a part of any territory owned by India can be ceded to another country only through a

Constitutional Amendment. However, Katchatheevu was ceded to Sri Lanka without a Constitutional amendment and hence the ceding is unlawful and not valid. The unconstitutional ceding of the island and the fishing grounds in the vicinity have emboldened the Sri Lankan Navy to resort to frequent attacks on our innocent fishermen who fish in their traditional fishing grounds.

Hence I had requested that the Government of India should take active steps to abrogate the 1974 and 1976 agreements and retrieve Katchatheevu and restore the traditional fishing rights of the fishermen of Tamil Nadu. I have also repeatedly emphasized in my letters to you that the question of sovereignty over Katchatheevu should not be treated as a settled issue. In this context, I would like to point out that even in 1974, the former Prime Minister, Thiru. A B Vajpayee, the then leader of the Jan Sangh, had stated that he would file a case against the ceding of Katchatheevu to Sri Lanka by the then Congress Government.

The affidavit filed on behalf of the Ministry of External Affairs in the Madras High Court, therefore, comes as a rude shock.

I request you to kindly have the matter reviewed and direct the concerned officials to file an appropriately revised affidavit in the Court which adequately reflects our concerns, without further delay”.






**Swift Issue Sought of DAS
Licence to Arasu Cable**




D.O. letter dated 04.07.2014

“I would like to bring to your kind attention that one of the first actions that I undertook on assumption of office in May, 2011, was the revival of the then defunct Tamil Nadu Arasu Cable TV Corporation (TACTV), a Government of Tamil Nadu Public Sector Undertaking formed to provide cable television services to poor and middle class customers in the State.

TACTV is providing Cable TV services in 31 of the 32 Districts of Tamil Nadu since 2.9.2011. In Chennai services were commenced subsequently. As a service provider targeting the middle class and poor customers, TACTV provides a package of 100 channels to subscribers at a cost of Rs.70/- per month, the lowest rate anywhere in the country. Public response has been overwhelming with a rapid ramp up of the subscriber base which has reached nearly 24,000 Local Cable Operators with 65 lakh

individual subscribers. This has made TACTV the single largest Multi System Operator in India. The rejuvenation of TACTV has freed the people of Tamil Nadu from the clutches of the erstwhile Multi System Operators who were consistently fleecing customers by charging Rs.150 – 250 per month for a bouquet of just 30 – 70 Channels.

The Government of India had issued a Conditional Addressable System (CAS) license covering Chennai City to TACTV on 2.4.2008. Based on this license TACTV is now transmitting signals in the Chennai Metro Area as well. Subsequently, the Cable Television Networks (Regulation) Act, 1995, was amended and the ‘Conditional Access System’ area was modified to ‘Digital Addressable System’ (DAS) area. Accordingly, TACTV has taken all the necessary steps to commence operations in the Digital Mode in Chennai City. TACTV promptly applied to the Ministry of Information and Broadcasting for the Digital Addressable System license on 5.7.2012 for operating in the Chennai Metro Area and on 23.11.2012 for operating in the rest of Tamil Nadu. In preparation for commencing digital operations, orders were placed for the supply of Set Top Boxes, Conditional Access System and Subscriber Management System and erection of Head End at a cost of about Rs. 50 crores.

Even as TACTV’s applications for licenses were kept pending by the previous UPA Government, the Ministry of Information and Broadcasting issued licenses to nine

other Multi System Operators in Tamil Nadu, including those who applied after TACTV. In order to take up this issue strongly, on my directions, delegations of Members of Parliament from Tamil Nadu repeatedly met the then Union Minister for Information and Broadcasting and even the former Prime Minister to request the speedy issue of licenses since the digitization had to be completed within a time frame. It was pointed out that delay in grant of licenses would give others a head start in the market.

The Madurai Bench of the Hon'ble High Court of Madras had also passed orders in a Writ Petition pending before it, as early as on 6.12.2012, that the process of issue of license to Tamil Nadu Arasu Cable TV Corporation may go on and the license may also be issued. I had also written to the then Prime Minister of India to direct the Ministry of Information and Broadcasting to issue the DAS license to TACTV.

Despite all these efforts, the Digital Addressable System license is yet to be issued by the Ministry of Information and Broadcasting. It is learnt that the Ministry of Information and Broadcasting had constituted an Inter Ministerial Committee (IMC) on 3.1.2013 to look into the recommendations of the Telecom Regulatory Authority of India (TRAI) on the licensing issue and the Committee has still not submitted its final report.



As per the provisions of the Cable TV Network (Regulations) Act, 1995, and Rules thereof, a person or an

association of individuals or a company registered under the Companies Act is entitled to obtain a DAS license. TACTV is fully qualified under the Act to be issued such a license. I strongly suspect that the non-issuance of the DAS license to TACTV by the previous UPA Government was only to facilitate particular private business interests, as other licenses were issued at the same time.



You would recall that the issue of a DAS License to Tamil Nadu Arasu Cable TV Corporation was one of the issues I had highlighted in the Memorandum that I had presented to you on 3rd June, 2014. I had also written a detailed letter to the Minister of State (Independent Charge) for Information and Broadcasting on 4 th June, 2014, on this issue. This is an issue on which I am keenly expecting an early decision from your Government in view of the clear legal position and the strong merits of the case.

Therefore, I request you to kindly have this matter reviewed at the earliest and arrange to issue the ‘Digital Addressable System’ license to the Tamil Nadu Arasu Cable TV Corporation Ltd without any further loss of time. This would enable the Government of Tamil Nadu to adhere to its commitment to provide inexpensive and quality Cable TV services to the people of Tamil Nadu, particularly the poor and the middle class.”



**Centre Must Ask Sri Lanka
to Rein in its Navy**

D.O. letter dated 06.07.2014


“I thank you for the prompt and effective action taken by your Government which led to the speedy release of 184 fishermen from Sri Lankan custody since the new Government assumed office at the Centre, under your leadership.

I would like to emphasize that, even though the fishermen were set free from Sri Lankan Jails, their 41 fishing craft and gear continue to be impounded. The Sri Lankan Government appears to be adopting a callous and deliberate strategy to ensure destruction of the boats and gear which are the primary means of livelihood of our fishermen. The long duration of impoundment and lack of care would render the fishing boats and gear unusable and worthless. Thus the strategy is designed to directly deprive fishermen of their livelihood.

The unlawful apprehension of our fishermen continues unabated and I understand that in yet another incident on 05.07.2014, 20 fishermen in 4 mechanized fishing boats, who set out for fishing from Rameswaram and Mandapam fishing bases in Ramanathapuram District, were apprehended by the Sri Lankan Navy in the late hours of 05.07.2014 and were taken to Thalaimannar, Sri Lanka.

The right of livelihood of our fishermen who historically and traditionally fish in the Palk Bay is continuously infringed upon by the Sri Lankan Navy. The historical rights were simply signed away as part of the ill advised Indo-Sri Lankan agreements of 1974 and 1976 which also unilaterally ceded Katchatheevu to Sri Lanka without having any foresight or concern for the plight of our innocent fishermen. As I have already pointed out, the validity of these agreements is the subject matter of a writ petition pending in the Supreme Court of India. In this context, the Government of Tamil Nadu continues to reiterate that the issue of the International Maritime Boundary Line (IMBL) and Katchatheevu cannot be treated as a settled issue. Only the retrieval of Katchatheevu will ensure the restoration of safety and security of our fishermen's livelihood in the traditional waters of Palk Bay.

I request the Government of India to impress upon the Sri Lankan Government to rein in their Navy and to refrain from apprehending our innocent fishermen who are



in peaceful pursuit of their livelihood in their traditional fishing waters.

I request the Government of India to initiate immediate efforts to find a permanent and pragmatic solution to this livelihood issue of our fishermen. I once again call for your immediate intervention to secure the release of the 37 fishermen and 45 fishing boats currently in Sri Lankan custody including the 20 fishermen and 4 fishing boats, apprehended on 05.07.2014. I confidently look forward to early and decisive action by the Government of India under your leadership to resolve this long standing issue”.





**Plea to Restore Tamil Nadu's
Due Kerosene Allocation**



D.O. letter dated 11.07.2014

“As you may recall, in the Memorandum I had presented to you on 03.06.2014, I had sought the restoration of the level of kerosene allotment to Tamil Nadu to the original 65,140 kilolitres per month.

The actual requirement of kerosene as per the entitlement of the ration card holders in Tamil Nadu is 65,140 Kilolitres per month. As against this entitlement, the Ministry of Petroleum and Natural Gas, Government of India, had allocated 59,780 KL of kerosene per month upto March, 2010. Thereafter, this allocation was successively reduced on ten occasions in the last few years, despite the strong protests by my Government. Now the monthly allocation of kerosene for Tamil Nadu stands at just 29,056 KL which is only 45% of the State's requirement.


It has been indicated that the reduction in allocation is

being effected based on the data relating to the number of LPG domestic connections provided in the State. However, there are many infirmities in this data base. With Oil Marketing Companies reluctant to share their data on the LPG connections in the State, there is a huge data gap of 56.16 lakh connections between the data released by the Ministry of Petroleum and Natural Gas and the family card data on the number of LPG connections in Tamil Nadu.

In addition, an analysis of the data also shows that while increase in the number of LPG connections is a nationwide trend the reduction of allocation of kerosene does not appear to be directly correlated with the increase in LPG connections as the kerosene allocation for some States has not been reduced to the same extent as for Tamil Nadu.

While we were hopeful that the trend of arbitrary and unjust reductions in kerosene allocation would be reversed and some of the cuts imposed by the previous UPA Government would be restored, I was disappointed to learn that even in the latest order dated 1st July, 2014, Tamil Nadu has been allocated **only 29,060 KL of kerosene per month, which was the same as was allocated for the preceding quarter.** I presume that this allocation was made at the official level following past precedent.

The unfair and cruel reductions in allocation of kerosene in the past three years to Tamil Nadu to the extent of more than 55% against the actual requirement is severely



penalizing the poor and deprived people of Tamil Nadu, particularly in rural areas. Such capricious cuts, effected by the previous Government, in the allocation of kerosene to the State will also have a severe environmental impact as the poor people have to rely more on firewood and other means to keep their kitchen fires burning. I am confident that your Government will not allow such an unjust state of affairs to persist.

Hence, I request your urgent and decisive intervention in this matter to undo the injustice done to Tamil Nadu and to allot the entire requirement of 65,140 KL of kerosene per month.

May I request an early response in this regard?"






Need for Classical Language Week

D.O. letter dated 18.07.2014

“I understand that the Secretary of the Department of School Education and Literacy, Ministry of Human Resource Development, Government of India, has written to the Chief Secretaries of all States asking them to celebrate Sanskrit week from 7th to 13th August, 2014. From the letter it appears that, while the celebrations would be conducted by the Central Board of Secondary Education (CBSE), Kendriya Vidyalaya Sangathan (KVS) and National Council of Educational Research and Training (NCERT) in all States, the State Governments have also been requested to organise such events at the State, District and other levels.

As you are aware, Tamil Nadu has a rich cultural heritage based on the ancient Tamil language. There has also been a strong social justice and language movement in the State. Hence, any official celebration of ‘Sanskrit



week' in Tamil Nadu is highly inappropriate. It would have been much more appropriate to have organized a Classical Language Week in each State based on the linguistic heritage of that State. I request you to advise the officials in the Government of India to suitably modify the letter to enable each State, including the CBSE schools in that State, to organise celebrations in tune with the language and culture of the State. This would be in keeping with the cultural and linguistic sensitivities in a diverse country like ours”.







Request for AIIMS in Tamil Nadu




D.O. letter dated 18.07.2014

“I was very happy to learn that the Government of India under your leadership intends to establish an All India Institute of Medical Sciences (AIIMS) in all the States in a phased manner. I have also received a letter from the Union Minister of Health requesting the State Government to identify three or four suitable alternate locations for setting up of a new AIIMS in the State.

While thanking you for the Government of India’s initiative, I also request you to kindly include Tamil Nadu in the first phase for setting up an AIIMS institution during the current financial year itself. For this purpose, as required by the Government of India, the State has already identified the required extent of land at Chengalpattu in Kancheepuram District, Pudukkottai town in Pudukkottai District, Sengipatti in Thanjavur District, Perundurai in Erode District and Thoppur in Madurai District where lands with suitable road connectivity are



already in the possession of the State Government and its agencies. Sufficient water and electricity are also available at all the five places, which also have excellent rail and air connectivity.

I have already directed the State Government officials concerned to provide all the details required by the Government of India. I am very keen to ensure that an institution of the stature of AIIMS is established in Tamil Nadu, as it would substantially augment the facilities in the State for providing quality medical education and also make available high-end tertiary level health care in the public sector to benefit the poor and middle classes. Tamil Nadu has a proud record of speedy implementation of such projects and hence I request you to kindly ensure that Tamil Nadu is included in the list of States in which an AIIMS would be set up during the current financial year itself’.






**Demanding an Inter Ministerial Group
on Fishermen Issue**




D.O. letter dated 21.07.2014

“I have written to you a number of times since you assumed office on the issue of the harsh harassment meted out to Indian fishermen, in particular from Tamil Nadu, by the Sri Lankan Navy when they fish in their traditional fishing waters of the Palk Bay. In the Memorandum that I presented to you on 3rd June, 2014, I have also outlined some of the measures that would need to be taken to ensure a long-term solution to the problem.

I must thank you for the proactive and positive manner in which your Government has approached the issue. Your officers have acted promptly to secure the release of detained fishermen from Tamil Nadu. I learn that the External Affairs Minister had also chaired an Inter-Ministerial Meeting on the India-Sri Lanka Fishermen’s issue on 17th June, 2014. While I welcome the much needed attention that this issue is finally receiving at a

high level in the Government of India, I am concerned about some of the actionable points that emerged from the meeting. These have been communicated to the State Government by the Fisheries Development Commissioner, Department of Animal Husbandry and Fisheries, Ministry of Agriculture, Government of India, in his letter number Pt.F.No.27017/4/1998 Fy(T-5)/ (IC) Vol. II dated 15th July, 2014.

First and foremost is the suggestion that the Department of Border Management, Ministry of Home Affairs, with assistance from the Director General of Lighthouses and Lightships would prepare a feasibility study on the possibility of installing buoys on the International Maritime Boundary Line (IMBL). In my Memorandum presented to you and in my letters on this issue, I have requested you to retrieve India's sovereignty over Katchatheevu islet which was unconstitutionally and illegally ceded to Sri Lanka under the Indo-Sri Lankan agreements of 1974 and 1976. Moreover, the Government of Tamil Nadu is also now a party to a suit filed by me in the Supreme Court challenging the constitutionality of the ceding of Katchatheevu islet. The matter is still pending in the Supreme Court and will have a bearing on the location of the IMBL. The Government of Tamil Nadu has not accepted the IMBL as a settled issue. Given that the issue is sub judice, it would neither be appropriate nor feasible to install buoys along the IMBL at this point in time.

Regarding the proposal to diversify the fishing-based livelihood of the fishermen in Tamil Nadu, we have already taken some measures including a 50 per cent subsidy scheme to procure new tuna long liners which are ocean-going vessels. You would recall that I had already requested a Comprehensive Special Package for Diversification of Fisheries at a cost of Rs.1,520 crore and a recurring grant of Rs.10 crore per annum for maintenance dredging as part of the Memorandum presented to you on 3rd June, 2014.

This Package includes the following elements:


- ★ A provision of Rs. 975 crore over three years to procure new Deep Sea Tuna Long Liners so as to reduce the pressure of bottom-trawling boats in the Palk Bay;
- ★ Assistance for a Mid Sea Fish Processing Park, at an approximate cost of Rs.80 crore, including a ‘Carrier Mother Vessel’ stationed at mid-sea to support and supply ‘Baby Vessels’ involved in commercial fishing in the deep seas. This will add value to the fish caught in the deep seas and also reduce the pressure of fishing in the shallow waters of Palk Bay.
- ★ The Government of India was requested to sanction a grant of Rs.420 crore for the Creation of Infrastructural facilities for Deep Sea Fishing

in Mookaiyur and Rameswaram Fishing Harbours in Ramanathapuram District, and Ennore Fishing Harbour in Tiruvallur District.

- ★ An annual grant of Rs.10 crore for dredging of fishing harbours and bar mouths.
- ★ To review and remove the impractical eligibility criteria of the boat owners to be in the BPL category and the unrealistic monthly ceiling of 500 litres under the scheme for Reimbursement of Central Excise Duty on High Speed Diesel (HSD) for Mechanized Boats.
- ★ To enhance the present annual allocation for the scheme for Motorisation of Traditional Crafts from the present level of Rs.3 crore to at least Rs.9 crore per year so that in a period of five years all the remaining 32,000 traditional craft can be motorized.

In addition to what has already been proposed in the Comprehensive Package, a further subsidy of Rs.100 crore to convert to gill nets will also enable introduction of sustainable fishing practices in the Palk Bay.

The Palk Bay and Gulf of Mannar are special ecological zones and the Gulf of Mannar is home to India's first Marine Bio-Sphere reserve. The Palk Bay is quite shallow. Hence both these areas are not suitable for open sea mariculture. Moreover, the scope for extensive aquaculture in the coastal



districts is also limited as agriculturists have objected to the potential salinisation of fresh water aquifers caused by aquaculture activities.

In the fishermen level talks between the fishing communities of both countries, there has been a clear recognition that fishing by fishermen of both countries could co-exist in the traditional fishing waters with both sides agreeing on the fishing days and a thrust given to sustainable fishing practices like use of gill nets and long liners. This approach has also been deliberated upon in the Indo-Sri Lankan Joint Working Group and needs to be intensively pursued.

I do hope that the Inter Ministerial Group will take note of the concerns of Tamil Nadu and accordingly pursue further action to enable an appropriate long-term solution to this sensitive issue”.






**Calling for Decisive Measures
to Solve Fishermen Livelihood**




D.O. letter dated 22.07.2014

“I am constrained to bring to your notice two more incidents of apprehension of our fishermen by the Sri Lankan Navy in their traditional waters in the Palk Bay.

It has been brought to my notice that, in a recent incident which took place on 21st July, 2014, 18 fishermen in 5 mechanized fishing boats who set out for fishing from Jegadapattinam and Kottaipattinam fishing bases in Pudukottai District were apprehended by the Sri Lankan Navy in the late hours of 21.07.2014 and have been taken to Kankesanthurai, Sri Lanka.


In another incident on the same day, 21.07.2014, the Sri Lankan Navy apprehended 20 fishermen along with their 4 fishing boats who set out for fishing from Rameswaram fishing base in Ramanathapuram District on 21.07.2014 and have been taken to Thalaimannar.

I am also informed that, in a previous incident on 16.07.2014, 5 fishermen from Pudukottai District were apprehended by the Sri Lankan Navy. They were reportedly drifting due to engine failure but unfortunately they were apprehended by the Sri Lankan Navy and have been remanded up to 31.07.2014 by the Kayts Court.

The instances of apprehension of our fishermen continue unabated and are creating a sense of fear, anxiety and unrest among the fishermen community in Tamil Nadu.

While your Government has taken prompt action from time to time to secure the release of 225 fishermen from Sri Lankan custody, it is disheartening to note that their 46 fishing boats continue to stay impounded. This deliberate strategy of the Sri Lankan Government to destroy the primary means of livelihood of our fishermen is condemnable. I request the Government of India to take up this matter with the Government of Sri Lanka to ensure the immediate release of the impounded fishing boats and gear before they are rendered useless.

The Government of Tamil Nadu reiterates its firm commitment to the restoration of traditional fishing rights of our fishermen in the Palk Bay and the retrieval of Katchatheevu which had been an integral part of India since time immemorial. The Government of India should also not treat the International Maritime Boundary Line (IMBL) with Sri Lanka as a settled question as the



constitutionality of the 1974 and 1976 agreements have been challenged on extremely valid and legal grounds by me in my personal capacity and also by the Government of Tamil Nadu in the Hon'ble Supreme Court of India.

I have already written to you on 21st July, 2014, on the permanent measures that need to be taken to resolve this long festering issue. I request the Government of India to initiate decisive measures along the lines already suggested by me to find a permanent solution to this livelihood issue of our fishermen. In the meantime, I once again request your immediate intervention to secure the release of the 43 Indian fishermen from Tamil Nadu and their 55 fishing boats including the 46 mechanized fishing boats that are already under Sri Lankan custody”.






**‘Ensure Visas for UN Probe Panel
on Sri Lanka Violations’**





D.O. letter dated 23.07.2014

“There are very deep and widespread sentiments in Tamil Nadu and amongst Tamils elsewhere in the world on a range of issues relating to India’s relations with the present regime in Sri Lanka and in particular, the ethnic pogrom and genocide which marked the closing stages of the civil war in Sri Lanka and the subsequent actions by the Sri Lankan regime which continues to treat ethnic Tamils in Sri Lanka as second-class citizens. There is a strong demand amongst all sections of Society and shades of political opinion in Tamil Nadu about the need to hold the Sri Lankan regime to account for the acts of genocide and war crimes in the closing stages of the civil war and continued discrimination against the Tamil minorities in Sri Lanka. It is against this background that the Tamil Nadu Legislative Assembly has already passed four Resolutions condemning the continuing discrimination against the Tamil minorities in Sri Lanka and violation of their human rights.

I had written to the former Prime Minister on a number of occasions on this issue, but no strong action was taken. In fact, while the General Election process was on, India actually abstained from voting on a Resolution in the United Nations Human Rights Council held in Geneva in March, 2014, which mandated an international investigation into the human rights violations in Sri Lanka.

With the new Government assuming office in May, 2014, under your leadership, we were very hopeful of a change in India's stance on this issue. In the Memorandum I had presented to you on 3rd June, 2014, I had urged the Government of India to sponsor a Resolution in the United Nations condemning the genocide in Sri Lanka and to hold to account all those responsible for the genocide and thereby render justice to the Tamils in Sri Lanka. I had also stated that the Resolution should also provide for holding a referendum amongst Tamils in Sri Lanka and displaced Sri Lankan Tamils across the world for formation of a separate Tamil Eelam.

Against this background, I am surprised to see media reports which indicate that India has refused visas to the United Nations Investigation Committee which has been formed to conduct the investigation. If the media reports are true and India has actually refused visas to the United Nations committee probing the human rights violations in Sri Lanka, this would be a bitter disappointment to the



people of Tamil Nadu who are determined to ensure that the Sri Lankan regime is held to account for its heinous acts against Tamils. Given that India is geographically Sri Lanka's closest neighbour and a number of Sri Lankan Tamil refugees are still residing in Tamil Nadu, India is definitely a place that any team probing human rights violations in Sri Lanka should visit to conduct its inquiries. Hence, I request you to kindly intervene in the issue and ensure that the international committee is granted the necessary visas and is in a position to complete a fair and impartial enquiry into the human rights violations in Sri Lanka. This would go a long way in assuaging the strong sentiments prevailing amongst all sections of Society and the polity in Tamil Nadu”.






Requesting for Increase of Hajj Quota



D.O. letter dated 26.07.2014

“The Tamil Nadu State Hajj Committee has received 13,159 applications from pilgrims for Hajj 2014. Based on the Muslim population, Hajj Committee of India, Mumbai, has allotted a quota of 2,672 seats only to the State for Hajj 2014. As per the guidelines for Hajj 2014, out of the quota of 2,672 seats, 1,180 seats have been utilized for reserved category pilgrims and 1,492 pilgrims have been selected under the general category. Subsequently, only 100 more seats have been allotted by the Hajj Committee of India leaving a large number of disappointed applicants.

I would also like to inform you that, during the earlier years, the Government of India had released additional seats over and above the quota which enabled more number of pilgrims from Tamil Nadu to perform Hajj. Last year, 3,696 pilgrims from Tamil Nadu performed Hajj. There is



a great expectation among the pilgrims who have applied for Hajj 2014 and are anxiously awaiting confirmation of their pilgrimage.

I therefore request your kind intervention for enhancement of the Hajj quota for Tamil Nadu taking into account the huge number of applications received for Hajj 2014. The Ministry of external Affairs, Government of India, may be advised to release an additional quota for Tamil Nadu, so that a greater number of pilgrims are enabled to perform Hajj during 2014”.





A Call for Immediate Release of Fishermen, Boats



D.O. letter dated 29.07.2014


“I write this letter with a deep sense of anguish, to bring to your notice yet another incident in which 50 fishermen from Tamil Nadu in 5 mechanized fishing boats and 2 vallams have been arrested by the Sri Lankan Navy. The fishermen had set out for fishing from the Nagapattinam fishing base of Nagapattinam District and were apprehended by the Sri Lankan Navy in the early hours of 29.07.2014 and taken to Kankesanthurai, Sri Lanka.

You may recall that, in my letter dated 22.07.2014, I had informed you about the apprehension of 9 boats and 43 fishermen from Tamil Nadu. I wish to inform you that these 43 fishermen and their 9 boats have not yet been released.

Your Government had acted promptly on earlier occasions which led to the release of 225 apprehended

fishermen from Sri Lankan custody from time to time. However, as part of a deliberate and callous design, the Sri Lankan side is yet to release the 55 boats and fishing gear which were impounded from Tamil Nadu fishermen apprehended earlier. Without their fishing boats and gear, the poor fishermen have lost their means of livelihood. This is causing considerable disquiet and unrest amongst the fishermen community in the coastal districts of Tamil Nadu. Therefore, I request you again to kindly take decisive steps to ensure the immediate release of the boats and fishing gear of our fishermen which are still in Sri Lankan custody. I also request you to impress upon the Sri Lankan Government that they should abandon their inhuman strategy of impounding the boats and fishing gear for extended periods of time.

The Government of Tamil Nadu reiterates its firm commitment to the restoration of the traditional fishing rights of our fishermen in the Palk Bay and the retrieval of Katchatheevu which had been an integral part of India since time immemorial. The Government of India should also not treat the International Maritime Boundary Line (IMBL) with Sri Lanka as a settled question as the constitutionality of the 1974 and 1976 agreements have been challenged on extremely valid and legal grounds by me in my personal capacity and also by the Government of Tamil Nadu in the Hon'ble Supreme Court of India.



I once again request you to immediately take up the issue of frequent apprehension of our fishermen and their boats by the Sri Lankan Navy at the highest diplomatic levels so as to secure the immediate release of all the 93 fishermen from Tamil Nadu including the 43 fishermen apprehended earlier and the 62 boats, including the 55 boats impounded earlier, from Sri Lankan custody”.






**‘India should Protest Sri Lanka
Defence Ministry’s Tasteless Gibe’**




D.O. letter dated 01.08.2014


“It has been brought to my notice that the official website of the Ministry of Defence and Urban Development, Government of Sri Lanka, has prominently hosted just under its homepage banner a link to an article entitled “How meaningful are Jayalalitha’s love letters to Narendra Modi?” The visual rendering on the homepage of the official website just above the link is highly objectionable as it depicted both the Prime Minister of India and the Chief Minister of Tamil Nadu in a very trivialized, derogatory and disrespectful manner.

The article itself contained certain unwarranted and unfounded comments about the very valid and serious issues that I have consistently been raising relating to the repeated instances of harassment by the Sri Lankan Navy of Indian fishermen from Tamil Nadu fishing in their traditional waters. This is a livelihood issue for lakhs of

fishermen families in my State whose cause I have been espousing and will continue to espouse strongly. I have also clearly explained the legal basis on which the Government of Tamil Nadu refuses to recognize the unlawful ceding of Katchatheevu under the Indo-Sri Lanka agreements of 1974 and 1976 and the issue pertaining to the alignment of the International Maritime Boundary Line (IMBL).

The article analysis also ascribes motives to me without any basis at all, including the insinuation that I demanded the release of boats which are crucial to the survival of fishermen families, because “some of these may belong to her or her supporters”. This is a vile, distasteful and baseless allegation. The article also tries to mischievously create fissures within India’s federal polity where none exist through statements like: “Obviously she is attempting to dent the popularity of the Indian Prime Minister.....”.

While as a public political figure in a vibrant democracy with full freedom of press, I have faced criticism and comment from many sources, this blatant attempt to ridicule, and trivialize the untiring efforts made by a democratically elected leader to resolve an important livelihood issue of the fishermen of Tamil Nadu by hosting a highly objectionable article prominently on the official website of an important Ministry of a neighbouring country, is completely unacceptable. The added visual image on the website is clearly aimed at denigrating the elected leaders of India, the world’s largest democracy,



and particularly a 66 year old woman political leader of many years standing. These are affronts to India which cannot be ignored or lightly brushed aside.

More importantly, although there was a disclaimer on the website stating that the Ministry of Defence bears no responsibility for the ideas and opinion expressed by the numerous contributors to the “Opinion Page” of the website, the visual itself depicting the Prime Minister of India and the Chief Minister of Tamil Nadu is not part of the article written by a journalist but a visual deliberately and mischievously put up on the official website itself. This reprehensible visual itself clearly indicates that these are not necessarily the views of the author but of the Sri Lankan Government itself.

I understand that, following the public outcry in Tamil Nadu, the article and the visual have both been surreptitiously removed from the official website. However, the damage has already been done.

I therefore request you to immediately direct the Ministry of External Affairs to summon the Sri Lankan High Commissioner and clearly express India’s displeasure at the manner in which the article was hosted on the official website of the Ministry of Defence and Urban Development, Government of Sri Lanka, and seek an unconditional apology from the Government of Sri Lanka.”






**Chief Minister Writes to Prime Minister
on Long Term Transmission Capacity**





D.O. letter dated 13.08.2014

“I am writing this letter requesting your urgent intervention in the matter of allocation of transmission capacity under Long Term Access by the Power Grid Corporation of India Limited to enable transmission of power from the Western and Eastern Regions to Tamil Nadu, for which 15 years Power Purchase Agreements have been signed with Private Power Producers by the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO). Based on the advice of the Ministry of Power to go in for Long Term Power Purchase to meet the demand supply gap, TANGEDCO has signed Long Term Power Purchase agreements for 15 years commencing from 2014 for 3330 MW. Of this, 2158 MW is contracted from Private Power Producers outside the Southern Region. These suppliers have applied for Long Term Access from November, 2013, to January,

2014, to the Power Grid Corporation of India Ltd (PGCIL), the designated Central Transmission Utility.

You are aware that the Sholapur to Raichur inter-regional transmission lines with a capacity of 4000 MW have been commissioned enabling flow of power from the Western Region to the Southern Region. Even though a transmission capacity of 4000 MW has been created, a total transfer capability of 1100 MW and available transfer capability of 350 MW only has been declared by the PGCIL for the present after considering a high transmission reliability margin of 750 MW. This implies that only 350 MW can flow to the Southern Region now.

When the applications for Long Term Access from the long term power suppliers of the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) are pending with the PGCIL since November 2013, the Ministry of Power has allocated an additional 377 MW of surrendered power of the Government of Delhi to Andhra Pradesh, Telangana and Kerala over and above the present allocation of 316 MW to these States up to 31.03.2015. This will adversely affect availing of transmission capacity under Long Term Access by Tamil Nadu as even temporary allocation of power from Central Generating Stations (CGS) is considered equivalent to long term power for allocation of transmission capacity.



I am of the considered view that this temporary allocation of power by the Ministry of Power should not curtail the genuine Long Term Access entitlement of Tamil Nadu. Further, fixing high transmission reliability margin of 750 MW, requires review and reconsideration. Therefore, I request your urgent intervention to advise the Ministry of Power and the Power Grid Corporation of India to consider the Long Term Access application of power suppliers to Tamil Nadu without taking into account the temporary allocation of surrendered power of 693 MW to some of the Southern States. The Ministry of Power and PGCIL may be also be directed to review the transmission reliability margin so that Tamil Nadu can get its rightful share of Long Term Access”.






Consensus Sought on Key GST Issues




D.O. letter dated 17.08.2014

“As you may recall, I had handed over a Memorandum to you on 03.06.2014, highlighting some very crucial issues of concern to Tamil Nadu. One of these issues was the impact of the proposed Goods and Services Tax (GST) on the fiscal autonomy of States and the huge permanent revenue loss such a taxation system is likely to cause to a manufacturing and net exporting State like Tamil Nadu.

I understand that a further revised draft Constitutional Amendment Bill on GST has been circulated to the States by the Government of India on 20.06.2014. I am happy to note that some of the concerns that I had raised have been addressed in the latest draft Bill, with the provisions relating to Declared Goods having been removed and alcoholic liquor for human consumption kept outside GST. The provisions relating to Advisory Committees for dispute resolution have also been deleted.

However, a number of concerns still remain. Foremost amongst these is the issue of fiscal autonomy. The proposed

GST Council with the functions assigned to it will override the supremacy of the Legislature – both at the Centre and in the States in taxation matters. This is unacceptable to Tamil Nadu.

The Amendment Bill also does not include enabling provisions for States to levy higher taxes on Tobacco and Tobacco products, similar to what has been permitted for the Centre. Tobacco consumption is a public health hazard and many States including Tamil Nadu are levying higher taxes on tobacco, which should continue to be permitted.

Petroleum products such as petrol and diesel which are currently outside the purview of State VAT in most States, are still proposed to be covered by GST under the draft Bill. A new provision has been made in the revised draft Amendment Bill which enables States to levy additional taxes over and above the GST on the sale of petroleum products. However, this system of a dual levy of GST and an additional tax is not acceptable to Tamil Nadu as a portion of the tax on petroleum products would still be eligible for input tax credit. Considering the short supply chain, collection of tax on Petroleum and Petroleum products at the first and second points of sale is now done efficiently and without leakage. Bringing these products under the ambit of GST will entail huge revenue loss to the States as Input Tax Credit will have to be provided. Hence, I reiterate my earlier request that Petroleum and Petroleum products should be kept outside the purview of GST.

In addition, it is also being made out by the Ministry

of Petroleum and Natural Gas that due to the levy of irrecoverable taxes such as entry tax, octroi, and Input Tax Credit availment restrictions on crude oil and other petroleum products, there are a number of “State Specific Costs” that are perforce passed on to the consumers in the State. Abolition of such irrecoverable dues has been sought so as to enable the Oil Marketing Companies (OMCs) to reduce “under-recoveries” without increasing the prices for petroleum products.

In this context, I have already stated in a number of fora that the “under-recoveries” of the OMCs are not really losses and are notionally calculated on the basis of international prices of petroleum products which is neither relevant nor fair since a portion of the crude oil is domestically produced and what is imported into India is crude oil and not petroleum products. In this context, only an actual cost based formula would be appropriate to determine the real subsidy burden falling on the OMCs. This figure is much lower and the State levies are not as large a burden as is being made out. States have to protect their slender tax base and cannot be expected to subsidize what is essentially a Central responsibility through foregoing their legitimate revenues.

Further, in Tamil Nadu, no State specific levies like entry tax, octroi, cess or surcharge are being levied on petroleum products. As far as Input Tax Credit (ITC) on crude oil is concerned, the OMCs/ refineries are eligible to avail of Input Tax Credit to the extent of tax paid on purchase of Crude Petroleum from ONGC on the sale of

eligible products like lubricants and commercial LPG. Other petroleum products are non-VAT goods and hence not eligible for Input Tax Credit. Making all petroleum products VAT goods, in order to reduce the subsidy burden of the Government of India will result in a drastic fall in State revenue. It is also a precursor to including all petroleum products under GST and hence, this proposal is unacceptable to Tamil Nadu.

Manufacturing States like Tamil Nadu stand to permanently lose substantial revenue if GST is implemented. However, there is no assurance of a permanent compensation mechanism. Further, the State's experience with the Centre's compensation mechanism both for the introduction of VAT and the reduction of Central Sales Tax has been far from satisfactory and does not inspire confidence that a fair, hassle-free and workable compensation mechanism can be devised and implemented. Hence, it is imperative that an independent compensation mechanism for revenue losses suffered by the States should be enshrined in the Constitution itself and not reduced to an instrument of Union policy which may change from time to time. **Hence, I reiterate my earlier suggestion that the Amendment Bill should provide for an independent compensation mechanism in this regard.**

I understand that the Sub-Committees constituted by the Empowered Committee of State Finance Ministers on various aspects of GST such as the problems of dual control, threshold and exemptions in the GST regime;

on Inter-State GST and GST on imports; and on revenue neutral rates for State GST and Central GST and place of supply rules are yet to submit their final reports.

May I also point out that many of the concerns that I have raised, as also the apprehension amongst many of the present VAT assesseees that they would now be subjected to two sets of taxation authorities, could be overcome if a simpler structure of completely delegating the levy, collection and appropriation of the substitutes for VAT, Central Excise Duty and Service Tax within a State to the State machinery is put in place, with the Central machinery focusing on inter-State taxation? Not only would such an arrangement be administratively much simpler, but it would also ensure that the original Constitutional design of fiscal federalism of leaving the States in complete control of at least one sizeable source of revenue is preserved. I believe it is still not too late to move forward on GST by putting in place the elegant solution I have suggested.

In any event, I strongly urge you that a broad consensus on key and contentious issues like dual rate bands, taxation threshold, IGST Model, commodities to be excluded from GST, clarity on dual administrative control, compensation period and methodology, should be arrived at among the States and with the Central Government before the enactment of the Constitutional Amendment Bill on GST is taken up.

I look forward to a positive response from you in this matter”.





**Tamil Nadu Warning Against
Area-Based Economic Incentive**



D.O. letter dated 24.08.2014

“I understand that the Government of India has referred an additional term of reference to the Fourteenth Finance Commission, regarding making recommendations on the resources that would be available to the successor or reorganized States on the reorganization of the State of Andhra Pradesh in accordance with the Andhra Pradesh Reorganization Act, 2014. The Act promises a number of fiscal and economic benefits to the successor States in Section 93 read with the Thirteenth Schedule and in Section 94. As a neighbouring State, we do not begrudge the benefits that are sought to be conferred on the successor States of Andhra Pradesh and Telangana for their development. However, sub-section (1) of Section 94 which states as follows, is of particular concern to us in Tamil Nadu:

“94. (1) The Central Government shall take appropriate fiscal measures, including offer of tax incentives, to the successor States, to promote industrialisation and economic growth in both the States”.


This provision promises tax concessions to the two States to promote industrialisation and economic growth. The nature and type of concessions have not been indicated in the Act and the matter appears to have been left to the discretion of the Government of India. I understand that there are demands from certain quarters that area based tax concessions should be provided to Andhra Pradesh and Telangana. Hence, it would be appropriate to intervene at this stage and express some of the apprehensions and reservations that Tamil Nadu has as a neighbouring State.

As you are aware, the general direction of taxation reforms in India has been towards rationalisation and simplification of various exemptions. A conscious attempt has been consistently made at harmonizing indirect tax rates amongst States and to eliminate harmful tax competition. This led to the introduction of the Value Added Tax regime which substituted the earlier Sales Tax regime at the State level. The Centre, over the last two decades, has also attempted to reduce and eliminate various exemptions. A major aberration in this regard was the introduction of area based exemptions from Income Tax and Central Excise for

new industrial units located in certain parts of Himachal Pradesh and Uttaranchal in 2003.

I recall that there was a spirited debate on this issue in the meeting of the National Development Council held in June, 2005, and I had also written to the then Prime Minister seeking withdrawal of such exemptions in August 2005. In the NDC meeting, almost all the Chief Ministers had even then favoured the scrapping of such exemptions as they significantly distorted the investment decisions of companies and corporate houses, thereby drastically affecting the investment climate in their own States. Independent analysis has also acknowledged that the area-based exemption scheme was not calibrated properly and did not take into account the possibility of flight of capital and relocation of units from other States in the country. Any extension of such area based concessions to Andhra Pradesh or Telengana would cause a huge flight of capital and relocation of industries, in particular from neighbouring States. It would also make the neighbouring States totally uncompetitive. In fact, such concessions to new industries would render existing industries, both in neighbouring States and even in the States where such concessions are granted, completely uncompetitive. These are grave risks which cannot be ignored.

Such area based exemptions are also fiscally very expensive. The Statement of Revenue Foregone presented



to Parliament in July, 2014, along with the Union Budget for 2014-2015 indicates that the total revenue foregone through such area based tax concessions during 2013-2014 was Rs.9,267.5 crores in direct taxes and almost Rs.18,000 crore in excise duty. These are revenues which could have been shared with the States. If a similar concession is extended to the successor States of Andhra Pradesh or Telengana, the fiscal impact would be substantially greater, given the much larger size of the States and the fact that these States have a fairly well developed infrastructural base.


It must also be pointed out that when a bifurcation of three States took place in 2000, neither Jharkhand and Chattisgarh, two of the newly created States nor the residual States of Bihar, Madhya Pradesh and Uttar Pradesh received any such fiscal incentive. In the case of Uttarakhand, then Uttaranchal, the comparison could have been with Himachal Pradesh, another hill state with issues of difficult terrain and remoteness, which was already categorized as a special category State on par with the North Eastern States, Jammu and Kashmir and Sikkim. A similar categorisation cannot be made in the case of either Andhra Pradesh or Telengana.

A very limited, time bound exemption may be justified to enable an area to recover from a natural disaster. An area based exemption was granted for a limited period of

3 years for the Kutch area of Gujarat in 2001 soon after the devastating earthquake that struck the area. However, when I made a similar request on 6th June, 2005, for a limited excise duty holiday for the areas affected by the catastrophic tsunami in Tamil Nadu in December 2004, no such concession was provided by the then UPA Government even when adequate justification existed.

The Andhra Pradesh State Re-organization Act, 2014, already contains a substantial and significant economic package. Hence, I strongly urge you to adopt a cautious approach to the complex issue of providing area based tax concessions in the name of encouraging economic development in these two States. Such exemptions run counter to one of the basic thrusts of economic reforms — a rational tax policy that is neutral, encourages a common market in the country, rewards competitive efficiency, and exploits comparative advantage. Any shift of investments from States with a strong infrastructure and trained manpower to other States motivated by tax reliefs alone would undo the two decade long work of rationalisation of tax structures.

Despite having put in place sunset clauses on area based exemptions during their two terms in office, the previous UPA Government, on grounds of sheer short term political expediency, offered this vaguely worded promise of taking appropriate fiscal measures including distortionary



tax incentives. This reflects the moral bankruptcy of the previous UPA Government.

Your Government must exercise the greatest care in approaching this issue. Nothing should be done which would distort economic incentives or a level playing field and render States like Tamil Nadu uncompetitive vis a vis their neighbours. It would be highly ill-advised to offer across the board area based tax concessions.

I am confident that you would definitely consider all aspects of this issue and ensure that the interests of neighbouring States like Tamil Nadu are fully protected while taking a final decision”.





**Demanding Mechanisms
to Resolve Fishing Dispute**



D.O. letter dated 02.09.2014

“This is to bring to your notice two more incidents of apprehension of Indian fishermen from Tamil Nadu by the Sri Lankan Navy while fishing in their traditional waters in the Palk Bay. In the first incident, 9 fishermen set sail in 2 fishing boats from Ramanathapuram District on 01.09.2014 for fishing and one mechanised fishing boat sank in the sea. The fishermen on board the boat that sank were rescued by the fishermen in the other boat. This boat which had rescued the fishermen who were in distress was apprehended by the Sri Lankan Navy along with all 9 fishermen and taken to Kankesanthurai and they have been remanded up to 16.09.2014.


In another incident which took place on 02.09.2014, a fishing boat from Ramanathapuram District carrying 6 fishermen developed mechanical failure and sank. It is reported that these 6 fishermen have also been apprehended

by the Sri Lankan Navy and taken to Karainagar Naval base, Sri Lanka.

In the last two months, there have been 15 incidents of apprehensions wherein 319 fishermen from Tamil Nadu have been apprehended along with their 62 fishing boats. Due to the efforts of your Government all the 319 fishermen have been released. Unfortunately the 62 fishing boats continue to be in Sri Lankan custody.

The Sri Lankan Government's inhumane and cruel strategy of not releasing the boats of our fishermen is causing great loss of livelihood to the fishermen and their families. **It is particularly distressing that a senior member of the Bharatiya Janata Party, Dr. Subramanian Swamy has, in a televised media interview on 01.09.2014, stated that it was he who had advised the Sri Lankan Government not to release the boats of the Tamil Nadu fishermen. This statement of Dr. Subramanian Swamy has given rise to resentment and angst not only amongst the fishermen community but also amongst the entire population of Tamil Nadu. I am confident that these are not the official views of your Party or of the Government of India.**

Without their sole means of earning their livelihood, these fishermen are in a despondent state. Denying our fishermen the right to peaceful fishing in their traditional waters of the Palk Bay, to which they have a historical



claim, is fuelling a sense of frustration amongst them. The desperate fishermen are resorting to protests and strikes.

This issue of non-release of 62 fishing boats of our fishermen was highlighted by the Secretary, Animal Husbandry, Dairying and Fisheries Department, Government of Tamil Nadu, in the recently held meeting of the India-Sri Lanka Joint Committee on Fisheries held on 29.08.2014 at New Delhi.

I am confident that your Government will find suitable mechanisms to resolve this long pending fishing dispute between Tamil Nadu and Sri Lanka by retrieving Katchatheevu and restoring the traditional fishing rights of our fishermen in the Palk Bay. The alarmingly increasing frequency of apprehension of our fishermen by the Sri Lankan Navy is a matter of utmost concern for my Government. An immediate intervention at the highest level is sought to resolve this long standing issue.

I urge you to take this up with the highest authorities of the Sri Lankan Government and ensure the immediate release of the 15 fishermen now apprehended and all the 63 boats in their custody”.





**Sri Lanka's High Handedness
on Retrieving Katchatheevu**



D.O. letter dated 09.09.2014


“This is to bring to your notice a new trend that has emerged in the Sri Lankan Navy’s tactics of harassing and intimidating Indian fishermen from Tamil Nadu fishing in their traditional fishing waters in the Palk Bay. Of late, the Sri Lankan Navy is targeting fishing boats stranded in mid-sea due to adverse weather conditions or mechanical failure as well as fishing boats that go to the rescue of such fellow fishermen in distress. These boats in distress and Indian fishermen on board are being apprehended and remanded to custody in Sri Lanka. This is a totally inhumane approach and completely against the ethics of maritime search and rescue operations.

In the latest episode one mechanised fishing boat, belonging to Ramanathapuram District with 6 fishermen who set sail for fishing from Rameswaram fishing base on 08.09.2014 and was drifting due to a mechanical snag, has

been apprehended by the Sri Lankan Navy on 09.09.2014. I learn that the boat and fishermen have been taken to Thalaimannar in Sri Lanka. Even in the last two instances on 01.09.2014 and 02.09.2014, 15 Indian fishermen were apprehended from boats which were in distress in mid-sea. Two boats sank and the boat which went to their rescue was captured. The 15 fishermen and one boat continue to be in Sri Lankan custody.

I wish to reiterate that the Sri Lankan strategy of keeping the apprehended fishing boats of our fishermen in custody has snatched away the source of meagre livelihood of the poor fishermen and their families and is also fuelling despondency and great unrest amongst the fishermen. The 63 boats of Tamil Nadu fishermen in Sri Lankan custody are deteriorating due to lack of maintenance on a daily basis. With the North East Monsoon due to arrive shortly, these precariously berthed impounded boats will suffer irreparable damage if not released immediately.

These incidents once again highlight the importance of retrieving the Katchatheevu islet. I had challenged the constitutionality of the Indo-Sri Lankan Agreements of 1974 and 1976 which unilaterally ceded the islet of Katchatheevu to Sri Lanka in the Hon'ble Supreme Court of India in W.P.(Civil) No. 561/2008, and sought to declare the 1974 and 1976 Agreements as null and void. The stand of the Government of Tamil Nadu is that Katchatheevu has always been a part of India, geographically, culturally and



historically. The permanent solution to this vexatious issue lies in retrieving Indian sovereignty over Katchatheevu and in recognizing the rights of our fishermen to fish in their traditional fishing grounds of the Palk Bay.

May I exhort you to immediately take up the matter with the Sri Lankan Government and arrange for the immediate release of all the 21 fishermen of Tamil Nadu now in Sri Lankan custody including the 6 fishermen apprehended today (09.09.2014) and the immediate release of the 64 impounded boats? I hope the Government of India under your leadership would find a decisive and permanent solution to this sensitive livelihood issue of our fishermen”.





**Chief Minister Expresses
Concern over GST Legislation**



D.O. letter dated 10.09.2014

“You may kindly recall that when I met you on 03.06.2014 I had handed over a letter along with a background note highlighting some of the crucial financial issues pertaining to Tamil Nadu, including the proposed Goods and Services Tax.

Subsequent to that, a revised draft Constitution Amendment Bill was circulated on 20.06.2014 which addressed some of the concerns that States, including Tamil Nadu, had. I understand that the provisions relating to Declared Goods have been removed and alcoholic liquor for human consumption has been kept outside GST. Further, the provisions relating to Advisory Committees for dispute resolution have also been deleted.

It has been brought to my notice that during the recent meeting of the Empowered Committee of State Finance Ministers held on 20.08.2014, consensus was reached

amongst the States on some more issues including that the threshold limit for levy of GST on goods and services should be fixed at Rs.10 lakh; the threshold limit for compounding scheme should be fixed at Rs.50 lakh with a floor rate of tax at 1%; and that the Exemption list under GST should be common for both CGST and SGST. I do hope that the Government of India would accede to all these points. Besides this, I would also suggest that States should be allowed to grant exemption on all goods of local importance without any restrictions. Further, to avoid dual control, States should be vested with the control of dealers having a turnover up to Rs.1.5 crore both for intra-State and inter-State supply of goods and services, whereby the Centre can avoid expanding its administrative machinery while collecting CGST from such dealers.

The proposal of the Government of India to bring petroleum products under the ambit of the Goods and Services Tax is another area of concern which would seriously diminish the limited revenue resources of the States. The proposed system of dual levy wherein the States will also be empowered to continue the existing levy of tax on the sale of petroleum products in addition to the levy of GST is not acceptable, as a portion of the tax on petroleum products would still be eligible for Input Tax Credit. I would also like to point out that Tamil Nadu has strong misgivings about the latest suggestion of the Government of India that the GST component of the levy

on petroleum products can be at a very low rate or even zero-rated for an initial period of at least 3 years to avert any possible sudden revenue loss to the States. There is no certainty that, in a period of three years, the revenue gain on account of levy of tax on services and on import of goods would be substantial enough to offset the revenue loss on account of bringing petroleum products under the ambit of GST nor is there any guarantee that GST will not be prematurely imposed on petroleum products. Since the resources of the States are already limited, I strongly urge that Petroleum and Petroleum products should be kept completely outside the ambit of GST.

Tamil Nadu is presently levying higher taxes on tobacco and tobacco products at rates of tax ranging from 14.5% to 20%. Considering the health hazards involved in tobacco consumption, the Government of India is presently urging all the States to levy higher VAT on tobacco and tobacco products. However, the draft Constitution Amendment Bill does not include enabling provisions for States to levy higher taxes on tobacco and tobacco products, on par with the Central Government. I, therefore, urge that States should also be empowered to levy higher taxes on tobacco and tobacco products on par with powers proposed to be vested with the Centre to levy Excise Duty on tobacco and tobacco products in the draft Bill.

The threshold limit for levy of GST; the goods and services which are to be exempted; the rates including


floor rates with bands; the taxes to be subsumed under GST are some of the crucial factors for determining the Revenue Neutral Rate (RNR). The “Place of Supply of Service Rules” which are to be framed will also play a vital role in estimating the tax revenue from services to the States. Without finalizing these important elements, it may not be feasible to accurately calculate the State-wise Revenue Neutral Rates. In any case, the cumulative nominal rate of GST (CGST+SGST) cannot be fixed very high, as it would appear regressive and this is bound to keep the GST rate well below the Revenue Neutral Rate (RNR) for a State like Tamil Nadu. Hence, there is bound to be huge revenue loss for Tamil Nadu.

It cannot be denied that manufacturing States like Tamil Nadu stand to permanently lose substantial revenue if GST is implemented, due to the sudden shift of levy from the point of origin to the point of destination. In addition to the revenue loss arising out of phasing out of CST and transfer of Input Tax Credit on inter-State Sales and inter-State Stock transfers, the State also stands to lose substantial revenue arising out of subsumation of other taxes such as Entertainment Tax, Luxury Tax, Entry Tax on Vehicles and Betting Tax.

In this context, I understand that the Gujarat Government has proposed that States should be allowed to make an upfront deduction of 2% of the total output IGST amount

levied on all the dealers in the State in a given tax period. They have also proposed a further 2% deduction from IGST to be credited to a “Compensation Fund” maintained by the Government of India. You had mentioned this proposal to me in the course of our discussions on 03.06.2014. I have had the matter examined in detail. While this suggestion would take care of the revenue loss due to the phasing out of CST, however, Tamil Nadu stands to lose substantial revenue on account of transfer of Input Tax Credit on inter-State sales and inter-State stock transfers, which the State presently retains to the extent of 3% in respect of inter-State sales and 5% in respect of inter-State stock transfer. Hence, it is suggested that all the States may be permitted to retain the entire 4% of the CGST part of the IGST on all inter-State sales without crediting any amount to a compensation fund. This will enable a substantial reduction in the compensation payable to the States. At the same time, since it could come out of the CGST part of the IGST, it would not place the destination State at any disadvantage with regard to revenue flow.

Hence, I am of the view that an independent compensation mechanism and methodology for revenue losses suffered by the States is an essential prerequisite for implementation of GST. It is understood that officials of the Government of India have suggested a separate legal provision for compensation, as part of the enabling GST Legislation. I am of the opinion that a mere legal provision



will not serve the interests of the States. A compensation mechanism should be enshrined in the Constitution itself and not reduced to an instrument of Union policy which may change from time to time.

May I also reiterate my views that, before the enactment of the Constitutional Amendment Bill on GST is taken up, the Government of India should strive for a broad consensus on the important issues relating to GST like compensation period and methodology, revenue neutral rates, floor rates with bands, commodities to be excluded from GST, IGST Model and clarity on dual administrative control, so that the genuine apprehension of the States over loss of fiscal autonomy and permanent revenue loss are allayed?”





**Chief Minister Brings Other CMs
into GST Discussion**



D.O. letter dated 10.09.2014

“As you are well aware, the Government of India has recently circulated a revised draft Constitutional Amendment Bill on Goods and Services Tax(GST). While the intention of the draft Bill is to provide for a common national market for goods and services, there are a number of serious concerns on the impact the proposed GST would have on the fiscal autonomy of the States and the resultant huge permanent loss such a taxation system would cause.

I have, therefore, addressed the Union Minister for Finance, Corporate Affairs and Defence, regarding the genuine apprehensions of the State over loss of fiscal autonomy and permanent loss of revenue. I would like to share a copy of the said letter with you. (copy enclosed)

I do hope you will agree with my views that, before enactment of the Constitutional Amendment Bill on GST is taken up, the Government of India should strive for a broad consensus on the important issues relating to GST without compromising the fiscal autonomy of the States”.

◆◆◆◆



**Demanding Priority to Rights
of Tamil Nadu Fishermen**



D.O. letter dated 11.09.2014

“I have written to you on several occasions since you assumed office in May 2014, on the issue of the harsh harassment meted out to Indian fishermen from Tamil Nadu by the Sri Lankan Navy when they fish in their traditional fishing waters of the Palk Bay. After a brief lull, Sri Lanka has again resorted to intensive aggressive action against Tamil Nadu fishermen and three further incidents of a large number of fishermen being apprehended have occurred, since I last wrote to you. 6 boats with 30 fishermen from Rameshwaram who set sail on 10th September, 2014, from Rameshwaram fishing base were apprehended late in the night on 10th September, 2014, near Katchatheevu islet and taken to Thalaimannar. In another incident, one boat from Nagapattinam base with 23 fishermen on board was apprehended in mid-sea on the night of 10th September, 2014, and they were taken to Jaffna. In a third incident one boat with 4 fishermen from Thanjavur District was

apprehended in the early hours of 11th September, 2014, and they were taken to Kankesanthurai.

I have already acknowledged the proactive and positive manner in which your Government has approached the issue. Your officers have acted promptly to secure the release of detained fishermen on several occasions in the recent past.

Despite this, the Sri Lankan side's attitude has hardened and they are adopting harsher and more devious tactics to cause permanent and long-standing economic damage to poor and innocent Indian fishermen. In recent letters I have highlighted some of the disturbing trends that are emerging in Sri Lanka's approach. Even as they have released detained Indian fishermen, they have not released any of the 64 boats that have been impounded since 1st June, 2014. They have also started a practice of detaining fishermen and boats that are in distress or engaged in the rescue of distressed boats.

These trends have to be arrested and reversed to protect the livelihood of the poor and innocent fishermen from Tamil Nadu who are engaged in their traditional occupation and fish in their traditional waters. **This is possible only if a firm, clear, unequivocal and unambiguous message is sent out by the Government of India to the Sri Lankan side that these hostile acts against Indian fishermen would not be tolerated and should cease forthwith.**

Such a message needs to be delivered to those at the highest level on the Sri Lankan side as the impulse for such a cruel and ruthless strategy against Tamil Nadu fishermen appears to flow from the very top. This is apparent from an interview given to an Indian newspaper by the Sri Lankan President and reported today (11.09.2014) in which he is quoted as saying that the impounded fishing boats from Tamil Nadu would not be released.

I also urge you to urgently take up implementation of the long term measures to find a permanent solution to the issue. In the Memorandum that I presented to you on 3rd June, 2014, I had outlined some of the measures required for a permanent solution to the problem.

The first and foremost is addressing the issue of the status of Katchatheevu. This is clearly central to the problem as the most recent incident has also occurred close to this islet. I have already indicated to you that Katchatheevu was always a part of Ramanathapuram District of Tamil Nadu. Indian fishermen have enjoyed traditional fishing rights in and around the islet. By the Agreements entered into in 1974 and 1976, Katchatheevu was unconstitutionally and wrongfully ceded to Sri Lanka and **the fishermen of Tamil Nadu have been obstructed from exercising their fishing rights in their traditional fishing areas ever since then.**

The Tamil Nadu Legislative Assembly has passed resolutions, right from 1991, seeking the restoration of Katchatheevu Island and the sea area adjacent to it to India. I have personally filed a Writ Petition (W.P. (Civil) No.561/2008) in this regard in the Supreme Court of India in 2008 and the Government of Tamil Nadu has also impleaded itself in 2011 on the grounds that the ceding of Katchatheevu to Sri Lanka without a Constitutional amendment is unlawful and not valid. Hence, I once again strongly urge you to take active steps to abrogate the 1974 and 1976 agreements and retrieve Katchatheevu and restore the traditional fishing rights of the fishermen of Tamil Nadu.

Another set of permanent measures relate to diversifying the fishing based livelihood of the fishermen in Tamil Nadu. We have already taken some measures including a 50 per cent subsidy scheme to procure new tuna long liners which are ocean going vessels. This is a major endeavour and requires much larger financial and technical support from the Government of India, which is yet to be agreed to. You would recall that I had already requested a Comprehensive Special Package for Diversification of Fisheries at a cost of Rs.1,520 crore and a recurring grant of Rs.10 crore per annum for maintenance dredging as part of the Memorandum presented to you on 3rd June, 2014. This Package includes a provision of Rs. 975 crore to procure new Deep Sea Tuna Long Liners;

assistance for a Mid Sea Fish Processing Park, at an approximate cost of Rs.80 crore; a grant of Rs.420 crore for the Creation of Infrastructural facilities for Deep Sea Fishing in Mookaiyur and Rameswaram Fishing Harbours in Ramanathapuram District, and Ennore Fishing Harbour in Tiruvallur District; and an annual grant of Rs.10 crore for dredging of fishing harbours and bar mouths. In addition, the impractical eligibility criteria of the boat owners to be in the BPL category and the unrealistic monthly ceiling of 500 litres under the scheme for Reimbursement of Central Excise Duty on High Speed Diesel (HSD) for Mechanised Boats should be reviewed and revised. The present annual allocation for the scheme for Motorisation of Traditional Crafts should be raised from the present level of Rs.3 crore to at least Rs.9 crore per year so that, in a period of five years, all the remaining 32,000 traditional craft can be motorized. A further subsidy of Rs.100 crore to convert to gill nets which will enable introduction of sustainable fishing practices in the Palk Bay should also be provided.

Hence, I strongly urge you to direct the concerned Ministries in the Government of India to urgently take up all elements of the strategy to resolve the vexatious fishermen issue with Sri Lanka. **Strong, clear and unambiguous communication to the highest levels of the Sri Lankan Government are needed so that they reverse their harsh and cruel tactics in dealing with poor Indian fishermen. The Indo-Sri Lankan Joint**

Working Groups need to be made a useful mechanism to address such issues and the stonewalling attitude of the Sri Lankan side seen in the recent meeting of the Indo-Sri Lankan Joint Committee on Fisheries held on 29th August, 2014, at New Delhi has to cease. Early action on the permanent solution for the Katchatheevu problem and long term diversification measures must be initiated.

I am sure that, given the emphasis you are placing on resolving issues in the neighbourhood of the country, the plight of Tamil Nadu fishermen will receive the much needed priority attention that it deserves and the Government of India will take necessary steps to ensure the safety and security of our fishermen and secure the immediate release of the detained 78 fishermen and 72 boats. The permanent and long-term measures cannot be placed on the back-burner any longer and must also be actively pursued”.






**Seeking Help from Centre to Free
Fishermen Held in Qatar**



D.O. letter dated 23.09.2014

“I write to bring to your kind attention a tragic incident which took place in the seas off the coast of Bahrain and Qatar in which a fisherman Thiru. Karthikeyan S/o. Thiru. Thangarasu from Thiruppalaikudi Village, Ramanathapuram District of Tamil Nadu, currently based in Bahrain was shot dead by the Qatar Coast Guard while fishing along with three other persons. The three other fishermen, Thiru. Aiyappan, Thiru. Raju and Thiru. Samayamuthu, also from Ramanathapuram District of Tamil Nadu, have been arrested by the Qatar Coast Guard. These fishermen from Ramanathapuram District in Tamil Nadu were working in Bahrain on contract basis when this unfortunate incident took place in the early hours of 21st September, 2014.

It has been ascertained that these four fishermen, in the course of their fishing activities, inadvertently strayed



into Qatar waters when the Qatar Coast Guard opened fire killing one fisherman and arresting three others. The other three fishermen have been detained in the Doha Jail, Qatar. It is learnt that the body of the deceased fisherman is also in the custody of Qatar authorities.

These poor, innocent fishermen who strayed inadvertently into Qatar waters had gone to Bahrain to earn a meagre livelihood and support their families. The family of the deceased fisherman is shattered and seek the early return of his body. The arrested fishermen are the sole breadwinners of their families and if their immediate release is not secured the fishermen and their families will be put to great financial and mental hardship.

I request you to direct the Indian Embassies in Qatar and Bahrain to take urgent steps to arrange for the transportation of the body of the deceased fisherman Thiru Karthikeyan and also secure the early release of the other three fishermen. I also request you to kindly direct the Indian Embassy at Bahrain to take up this matter with the employer company and to ensure that the terminal monetary benefits due to Thiru. Karthikeyan are released to the family without any delay”.





**Apprising Prime Minister
on Detained Fishermen's Plight**




D.O. letter dated 25.09.2014

“I wish to bring to your notice the pathetic plight of 4 fishermen from Tamil Nadu who were arrested and detained by the Iranian Coast Guard on 22nd September, 2014.

It is reported that four fishermen, namely Thiru Sasikumar (40 yrs) S/o Louis, Thiru. Antony (29 yrs) S/o Soosainayaham, Thiru. Anthony (34 yrs) S/o Samichael and Thiru. Arokiam (30 yrs) S/o Stephen, from Kanyakumari District of Tamil Nadu were engaged in fishing in Qatar on contract basis. On September 16, 2014, these four fishermen went for fishing in a mechanized fishing boat and in the course of their fishing operations they inadvertently strayed into Iranian waters on September 22, 2014, and were arrested by the Iran Coast Guard.

The four fishermen from Tamil Nadu, who are languishing in a prison on Kish Island in Iran, are the sole



breadwinners of their families and they had gone to Qatar to eke out a humble livelihood. Their prolonged incarceration will severely affect their families and dependents in India.

I request you to kindly personally intervene in the matter and direct the Embassy of India in Teheran to take effective legal steps to secure the immediate release of these poor and innocent fishermen from Tamil Nadu”.






**Centre Urged to take Positive Steps
on Detained Fishermen**




D.O. letter dated 30.09.2014

“Due to the untiring and relentless efforts of our beloved leader Puratchi Thalaivi Amma, 76 Indian fishermen languishing in Sri Lankan jails were released by the Sri Lankan court today (30.09.2014). Out of these 76 fishermen, 72 are from Tamil Nadu. No boats have been released. I appreciate the efforts of the Government of India under your leadership in securing the release of fishermen who were apprehended by the Sri Lankan Navy but unfortunately 71 fishing boats of these fishermen have not yet been released by the Sri Lankan Government and are falling apart from disuse there itself. The impending advent of the North East Monsoon mandates their immediate release to prevent further damage and deterioration.


I would like to bring to your notice yet another incident, wherein 4 fishermen in a mechanised fishing boat who set sail for fishing from Rameswaram fishing base of

Ramanathapuram District on 27.09.2014, were drifting due to a technical snag and were apprehended by the Sri Lankan Navy on 28.09.2014 and taken to Kankesanthurai, Sri Lanka. The 4 fishermen were produced before the Magistrate's Court, Kayts on 29.09.2014 and have been remanded till 10.10.2014.

In another incident on 29.09.2014, 4 fishing boats from Kottaipattinam fishing base, Pudukkottai District with 16 fishermen ventured into the sea for fishing. While fishing, they were apprehended in the early hours of 30.09.2014 by the Sri Lankan Navy and taken to Kankesanthurai, Sri Lanka.

The traditional rights of fishermen from Tamil Nadu to fish in the waters of Palk Bay is continuously being infringed upon by the Sri Lankan Navy. The IMBL itself is a matter that is sub judice in the Supreme Court of India wherein the Government of Tamil Nadu and our beloved leader Puratchi Thalaivi Amma in her personal capacity as General Secretary of AIADMK has challenged the unconstitutional ceding away of Katchatheevu by the 1974 and 1976 Agreements.

The Government of Tamil Nadu strongly reiterates the need to restore the traditional rights of our fishermen by annulling the ill-advised Indo-Sri Lankan agreements of 1974 and 1976 urgently. I am confident that your Government will find suitable mechanisms to resolve this




long pending fishing dispute between India and Sri Lanka by retrieving Katchatheevu and restoring the traditional fishing rights of our fishermen.

I request the Government of India to take positive and concrete steps to secure the immediate release of 20 fishermen and 75 boats still in custody of the Sri Lankan authorities”.






**Urgent Steps Sought for Release
of 24 Fishermen by Sri Lanka**





D.O. letter dated 08.10.2014

“This is to bring to your notice, one more incident, wherein 4 fishermen in a fishing boat bearing registration No. IND-TN-10-MM-468 who set sail from Rameswaram fishing base of Ramanathapuram District on 6.10.2014 have been apprehended by the Sri Lankan Navy. The boat drifted to Delft Island, Sri Lanka and was grounded due to an engine snag following which the 4 fishermen were arrested and handed over to Delft Island Police, by the Sri Lankan Navy.


This new trend of apprehending fishermen in boats that develop mechanical snag by the Sri Lankan Navy is a matter of concern for my Government. An immediate intervention at the highest level is sought to arrest this new trend.

I would like to remind you that 20 fishermen and 75 boats of the fishermen of Tamil Nadu continue to be in



Sri Lankan custody. The Sri Lankan strategy of not releasing the boats of our fishermen is causing great frustration amongst the fishermen of Tamil Nadu. Without their livelihood base, these fishermen are in a state of despondency. I urge you to take this up with the highest authorities of the Sri Lankan Government and ensure the immediate release of the precariously berthed boats as the impending monsoon poses grave danger to them.

Nearly 10 lakh fisherfolk in Tamil Nadu depend on marine fishing as their only source of livelihood. As our leader, Puratchi Thalaivi Amma had indicated earlier, the Government of Tamil Nadu under her leadership had taken a number of steps towards diversification of their avocation to minimize the pressure on the marine ecosystem. A two pronged approach is necessary at this juncture to solve this chronic problem. One is the financial package that our Leader had requested from the Central Government, which would go a long way in improving the socio economic status of the fishermen. The second is the abrogation of the 1974 and 1976 agreements and restoration of the traditional and historical fishing grounds of the Palk Bay and Katchatheevu which has been challenged on extremely valid and legal grounds by our Leader Puratchi Thalaivi Amma in her personal capacity and also by the Government of Tamil Nadu in the Hon'ble Supreme Court of India. Denying our fishermen, the right to peaceful fishing in their traditional waters of the



Palk Bay to which they have a historical claim is causing considerable angst amongst the fisherfolk of Tamil Nadu. I request your personal intervention to immediately resolve this long pending issue by retrieving Katchatheevu and restoring the traditional fishing rights of our fishermen as has been demanded by our beloved leader Puratchi Thalaivi Amma.

May I request you to instruct the concerned Ministry to take urgent steps to secure the immediate release of 24 fishermen who are languishing in Sri Lankan jails and the release of 75 boats in Sri Lankan custody?”






**‘Allow Working of Naphtha-Based
Fertilizer Units’**




D.O. letter dated 11.10.2014

“You may recall that based on our respected Leader Puratchi Thalaivi Amma’s letter to you dated 9th June, 2014, regarding the continuance of subsidy for the two Naphtha based Fertilizer plants located in Tamil Nadu, namely SPIC, Tuticorin and Madras Fertilizers Limited, Manali till such time that gas connectivity is provided to these two plants, the Cabinet Committee on Economic Affairs approved the extension of the subsidy to SPIC, MFL and Mangalore Chemicals and Fertilizers Limited till 30th September, 2014. I am thankful to you for the action taken.

The extension period has now expired and both SPIC, Tuticorin and Madras Fertilizers Limited Manali have closed their operations from 01.10.2014, adversely affecting the livelihood of hundreds of workers. I understand that while the two plants have made necessary investments

for gas conversion, in the absence of availability of gas and the infrastructure for delivering gas to these two plants, it is impossible for these plants to change over to gas as feedstock. Unfortunately the connectivity is yet to materialize.

I understand that the Department of Fertilizers has allotted mostly imported urea to Tamil Nadu State for this season. The measure to import one million tonnes of urea additionally this year will not achieve the objective of reducing subsidies by closure of Naphtha based plants. Further, the State will also face a loss of revenue by way of VAT paid by SPIC and MFL to the extent of about Rs.220 crore per year. The stoppage of production of these two plants will also have spillover effect on the State's economy.

I am informed that the cost differential between gas and Naphtha would be practically nil, if the oil marketing companies could supply at Export Parity Prices instead of charging the Import Parity Prices along with their margin. In view of these factors, I strongly urge you to direct the Ministry of Chemicals and Fertilizers to allow the functioning of the Naphtha based fertilizer plants with the subsidies continued till such time gas connectivity is provided to these units”.







‘Ensure Safety of Impounded Boats’




D.O. letter dated 16.10.2014


“I write to you to bring to your notice the alarming situation that has been developing over the past few months and is now seriously threatening the livelihood of Indian fishermen from Tamil Nadu caused by the vindictive and vengeful action of the Sri Lankan Navy. Our beloved leader Puratchi Thalaivi Amma had written to you several times indicating that the Sri Lankan Government has been pursuing a devious and sinister strategy of not releasing the apprehended fishing boats in successive incidents where such boats along with Indian fishermen were harassed and arrested while pursuing their peaceful avocation of fishing in their traditional fishing waters in the Palk Bay.

The Government of Tamil Nadu reiterates its firm commitment to the restoration of the traditional fishing rights of our fishermen in the Palk Bay and the retrieval of Katchatheevu which had been an integral part of

India since time immemorial. The Government of India should also not treat the International Maritime Boundary Line (IMBL) with Sri Lanka as a settled issue as the constitutionality of the 1974 and 1976 agreements have been challenged on extremely valid and legal grounds by the Government of Tamil Nadu and our beloved leader Puratchi Thalavi Amma in the Hon'ble Supreme Court of India.

In my letter dated 08.10.2014, I had requested the release of 24 fishermen from Tamil Nadu apprehended by the Sri Lankan Navy. They continue to be in Sri Lankan custody. In addition, at present 75 boats belonging to the Tamil Nadu fishermen apprehended by the Sri Lankan Navy after May, 2014, continue to languish in Sri Lankan custody. The Sri Lankan side has deliberately and deviously hardened their stance and adopted this harsh approach of not releasing boats.

Fishermen Associations have represented that fishermen families are despondent and in desperate straits due to the non-release of boats for a prolonged period. Their livelihood is severely affected and the ensuing Deepavali festival may be bleak and cheerless for them. They requested me to take up the matter of non-release of boats with the Government of India urgently and seek an early resolution to the issue. Their well-founded apprehension is that with the North East monsoon due to hit the



Sri Lankan and Tamil Nadu coast shortly, their impounded boats which have been precariously berthed in the open, exposed to the elements and with no regular maintenance on the Sri Lankan coast, are likely to suffer irretrievable damage if they are not released at once. Even now, it is reported that disuse and lack of maintenance has led to their deterioration. The high velocity winds expected with the monsoon will damage these precariously anchored boats beyond redemption. I therefore urge you to immediately instruct the concerned Ministry to take up the matter of the safe berthing of these 75 boats pending release with the Sri Lankan authorities.

In parallel, the immediate release of these boats must also be taken up. Being deprived of their boats which are their essential means of earning their livelihood has led to considerable loss of income and reduced many fishermen families to a stage of penury, poverty and to a state of utter despondency. I implore you to kindly intervene in the matter personally and ensure the immediate release of the 75 Indian fishing boats that are still in Sri Lankan custody”.






**‘More Contact Centres Needed
in State for UDAAN Scheme’**




D.O. letter dated 29.10.2014

“I understand that the Central Board of Secondary Education has announced a new scheme called UDAAN which is to mentor girl students to compete for admission to Premier Engineering Colleges including Indian Institutes of Technology (IITs) and National Institutes of Technology (NITs). Under the scheme, 1,000 girl students studying in class XI and XII under all Boards of education are to be selected on merit, for receiving special online and direct coaching for entering into IITs and NITs.

The application form has a leading question which requires the applicants to opt for cities for contact class centres out of those listed in the brochure and Tamil Nadu has only two cities in the list. Tamil Nadu, as a leading State in education would have a number of students who would be eligible under the scheme. Hence it is surprising to note that out of the 151 contact class centres, only two

centres have been provided for Tamil Nadu. On the other hand, a much larger number of centres have been provided in many other States. Two centres in a large State with substantial girl student population in the science stream is very inadequate and this by itself would act as a dampener for participation by girl students. Apprehension about having to travel long distances to go to contact classes, will undoubtedly reduce response from eligible candidates. Even more surprising is the fact that Chennai, which is the largest city in Tamil Nadu and a leading metropolis, does not have a contact centre unlike other large Metropolitan cities. This will also deprive a large number of eligible girl students of an opportunity to participate. Hence eligible students may be allowed to opt for contact class centres at their respective District headquarters.

I request you to kindly have these design flaws in the UDAAN scheme examined and increase the number of contact centres in Tamil Nadu including one in Chennai. May I also request you to kindly extend the last date for applications for the programme to at least 30th November, 2014, to enable eligible girl students from Tamil Nadu to apply for admission under the scheme?"







Steps Demanded to Save Death Row Fishermen




D.O. letter dated 30.10.2014

“The people of Tamil Nadu are shocked and deeply grieved to learn of the judgement of the Colombo High Court delivered today (30.10.2014), convicting and sentencing 5 Indian fishermen from Tamil Nadu to death, on charges of transferring narcotics. On behalf the people of Tamil Nadu, I strongly condemn the unjust conviction meted out to the 5 Indian fishermen from Rameswaram in Tamil Nadu - Emerson, Agastas, Wilson, Prasath and Langlet. The Government of Tamil Nadu has consistently insisted that these 5 fishermen were innocent and that the case has been foisted on them and also that the evidence against the fishermen in the court is a fabrication. These 5 fishermen set out to fish from Rameswaram on 28.11.2011, when they were apprehended by the Sri Lankan Navy on the allegation of possession of narcotics.



My leader, Puratchi Thalavi Amma has written numerous times to both you and your predecessor in the last three years regarding this case. Based on the directions of my Leader, the case has also been taken up in several Inter-Ministerial and Joint Working Group meetings. This issue has also figured prominently in the fishermen level talks.


The Government of Tamil Nadu had also sanctioned special assistance to pay for the legal fees of defending these 5 fishermen. Further, the Government of Tamil Nadu has sanctioned special livelihood assistance to the families of the 5 fishermen.

Based on Government of Tamil Nadu's insistence, the Ministry of External Affairs and the Indian High Commission in Sri Lanka had taken up this issue with the Sri Lankan authorities and consistently argued that these are bonafide fishermen with no record of involvement in drug related activities. There was considerable hope that the fishermen would be released based on the records submitted by the Indian side. Based on the close monitoring of this case by the Government of Tamil Nadu, the Indian side had been given hope that in each successive hearing there was a strong prospect of discharge of the fishermen from the case and their release.

In these circumstances, the conviction of these fishermen and the award of death penalty is particularly shocking and unexpected. The manner in which the entire trial was conducted and the orders delayed, gives rise to serious doubts as to whether the fishermen received a fair trial. This is particularly so since, in earlier cases of alleged drug trafficking, where the court found the accused guilty the only penalty levied was a fine. The present case of 5 fishermen was under hearing in Jaffna when the Sri Lankan police filed the charge sheet in the Colombo Court and transferred the case abruptly. Thereafter, the trial was held in the Fourth Bench of the Colombo High Court.

Given all these circumstances, the death sentence against the 5 fishermen has greatly incensed not only the fishermen community in Tamil Nadu but all sections of society. It is quite apparent that these bonafide and innocent fishermen have not received a fair trial and have become the victims of a hidden agenda.

It is the paramount duty of the Government of India to protect the life and liberty of 5 of its innocent citizens who are being deprived of their rights in an apparently unjust and unfair manner. I request you to immediately take up the matter with the highest authorities in Sri Lanka to ensure that the lives of the 5 innocent Indian fishermen are saved and they are released to return home at the earliest.



I also request you to direct the Indian High Commission in Sri Lanka to set in motion the legal procedure for appeal within the statutory period in the appropriate appellate forum. Since the Government of Tamil Nadu will continue to meet the entire legal costs of this case, the Indian High Commission may be instructed not to spare any effort including, securing the best legal counsel and support for the effective defence of the 5 fishermen. Failure to take immediate decisive action in this case and secure justice for the 5 fishermen will greatly inflame the already bruised emotions amongst the people of Tamil Nadu”.







**‘Save Tamil Nadu Fishermen
Suffering in Saudi Arabia’**




D.O. letter dated 31.10.2014

“I write to bring to your attention the pathetic plight of 22 fishermen who had gone to Saudi Arabia to work for a fishing company through an agent last year. The company is based in Jubail, Saudi Arabia. Of these fishermen, 12 are from Nagapattinam District, one from Cuddalore District and 3 from Villupuram District of Tamil Nadu. The remaining 6 are from Karaikkal District of Puducherry.

It appears that these fishermen are being forced to endure harsh working conditions and they are being physically abused and tortured. Despite their plea to be repatriated to India, as they are unable to bear the hardship, their employer is refusing to pay heed. These fishermen have not even been paid their wages as per the contractual terms. The family members of these poor fishermen have requested the Government of Tamil Nadu to intervene and ensure their safe return to India.



I request you to kindly intervene in the matter and direct the Embassy of India in Saudi Arabia to take immediate steps to contact the 22 fishermen and ascertain their well being. The Embassy of India may also be directed to contact the authorities in Saudi Arabia to ensure that the dues to these poor fishermen are settled immediately by the company in which they were employed. The Embassy of India may also be directed to provide all assistance to enable these fishermen to return home safely” .






**Tamil Nadu Objects to Kerala
Plan for Pambar Dam**



D.O. letter dated 08.11.2014

“I would like to draw your kind attention to disconcerting reports appearing in the media about the Government of Kerala’s Plan to construct a Dam with a storage capacity of about 2 TMC ft. of water across the river Pambar at Pattisserry in Kerala at an estimated cost of Rs.26 crore.

I would also like to point out that the river Pambar, is a tributary of the river Amaravathy, which in turn is a tributary of the river Cauvery. It has also been reported that the Chief Minister of Kerala had laid the foundation stone for this project recently and preliminary works have been taken up. This has caused anxiety, deep anguish and uncertainty amongst the farmers of Tamil Nadu. It is apprehended that the irrigation and drinking water supply in the entire area dependent on the Amaravathy river, will be totally affected, if the Government of Kerala is




allowed to build the Dam and obstruct the flow of water to Amaravathy Reservoir.

The proposed plan of the Government of Kerala in taking up new projects in the Pambar sub-basin is in violation of the Final Order of the Cauvery Water Disputes Tribunal dated 05.02.2007. Any new project should have the approval of the Cauvery Management Board and the specific consent of the downstream State of Tamil Nadu.

My Leader Puratchi Thalaivi Amma has repeatedly been urging the Government of India to constitute the Cauvery Management Board and the Cauvery Water Regulation Committee for the effective implementation of the Final Order of the Cauvery Water Disputes Tribunal dated 05.02.2007. This request of my Leader has not been favourably considered till now. In the absence of an appropriate mechanism viz., the Cauvery Management Board, it will not be possible to monitor the execution of new projects by the party States.

A visit by the Engineers of Public Works Department to the site on 07.11.2014 has indicated that though work has not yet started, it was ascertained that Government of Kerala may start the work very soon in view of the reports regarding laying of the foundation stone.

May I, therefore, request you to advise the Government of Kerala not to proceed with the proposed construction



of the Dam across the river Pambar at Pattisserry or any other scheme on the river Pambar? I also request you to advise the Government of Kerala to furnish full details of the schemes proposed by the Government of Kerala in the Pambar sub-basin and further request Kerala not to proceed with any of the projects, in any manner, till the Cauvery Management Board is constituted and the consent of the Government of Tamil Nadu obtained.

I request your immediate intervention in this matter to protect the interests of Tamil Nadu and also to constitute the Cauvery Management Board and the Cauvery Water Regulation Committee for the effective implementation of the Final Order of the Cauvery Water Disputes Tribunal”.






**Centre Asked to Restrain Karnataka
from Going Ahead with Dam Proposals**




D.O. letter dated 12.11.2014

“Karnataka has been repeatedly violating the Final Order of the Cauvery Water Disputes Tribunal, seriously jeopardizing the rights of the lower riparian State of Tamil Nadu and affecting the livelihood of lakh of farmers. The latest in the series of violation is their proposal to go ahead with the construction of two reservoirs at Mekedatu.

I would like to bring to your kind notice that my Leader Puratchi Thalaivi Amma had already written to your predecessor on 02.09.2013 that the reservoirs planned by the Government of Karnataka near Mekedatu are new schemes not contemplated in the Final Order of the Cauvery Water Disputes Tribunal, dated 05.02.2007. Further, the Government of Tamil Nadu had filed an Interlocutory Application in the Supreme Court to restrain the Government of Karnataka, among others, from executing the Mekedatu Hydro Electric Project unilaterally by themselves and it should only be executed comprehensively with Sivasamudhram, Mekedatu,

Hogenakkal and Rasimanal Hydro Electric Projects as envisaged by the National Hydro Electric Power Corporation Ltd., or any other appropriate Central Power Generation utility, so as to derive maximum benefits of power potential. My Leader had, therefore, urged your predecessor to advise the Government of Karnataka not to take up any schemes including Hydro Electric Projects in the Cauvery Basin of Karnataka without the prior consent of the Government of Tamil Nadu, apart from advising the Government of India, Ministry of Environment and Forests, not to accord clearance to any projects of Karnataka in the River Cauvery till a permanent monitoring mechanism viz., the Cauvery Management Board is formed.

Now, the Media has widely reported that Karnataka has invited Global Expression of Interest for a technical feasibility study to construct two reservoirs at Mekedatu to store additional water and also that about 2,500 acres of forest land would be submerged.

The plan of Karnataka to construct two reservoirs at Mekedatu across the River Cauvery would be a clear violation of the Final Order of the Cauvery Water Disputes Tribunal. The Final Order of the Cauvery Water Disputes Tribunal has been notified on 19.02.2013 and therefore, the Final Order of the Tribunal has the same force as an Order or a decree of the Supreme Court, as per Section 6 (2) of the Inter State River Water Disputes Act, 1956. Further, the Interlocutory Application filed by Tamil Nadu in the Supreme Court to restrain the Government of Karnataka

from executing the Shivasamudram and Mekedatu Hydro Electric Projects by that State is still pending. Therefore, the whole issue is now subjudice before the Supreme Court.

Under the circumstances, I seek your immediate personal intervention in the matter and request you to advise the Government of Karnataka to withhold the Expression of Interest called for by the Government of Karnataka for the technical feasibility study and advise the Government of Karnataka not to proceed with any further action regarding the technical feasibility study and not to take any steps to execute any irrigation, hydro power, lift irrigation schemes or any other scheme in the guise of drinking water supply in the Cauvery Basin of Karnataka without the consent of the Government of Tamil Nadu. I also request you to instruct the Ministry of Environment and Forests and Ministry of Water Resources, Government of India, not to give clearance to any project posed by the Government of Karnataka without consulting the Government of Tamil Nadu.

May I also point out that the request of my Leader for the formation of Cauvery Management Board and Cauvery Water Regulation Committee has not been acceded to till now by Government of India?

I look forward to your immediate positive response in this matter”.






**‘Cooperate in Storing Water up to
142 feet’, Kerala Government Told**




D.O. letter dated 16.11.2014

I am in receipt of your D.O.No.16360/ISWC1/2014/WRD dated 14.11.2014 regarding the increase in the level of Mullai Periyar Dam.

You are aware, the Mullai Periyar Dam is owned, maintained and operated by the Government of Tamil Nadu. This has been crystallized in the judgment of the Supreme Court in O.S.No.3 of 2006 dated 07.05.2014. Further, the Hon’ble Supreme Court in the same order had decreed the Suit in favour of Tamil Nadu and permitted Tamil Nadu to raise the water level in the Mullai Periyar Dam from the temporarily brought down level of 136 ft. in 1979 to 142 ft. initially, with specific direction that Kerala cannot obstruct Tamil Nadu from increasing the water level of Mullai Periyar Dam to 142 ft. and from carrying out repair works as per the judgment dated 27.02.2006.

You are also aware that the people in the 5 Districts of Tamil Nadu are dependent on the waters of the Periyar Reservoir and the Vaigai Reservoir. The combined total live capacity of both the Reservoirs prior to 1979 was 16.31 TMC ft. This had been reduced to 11.85 TMC ft. to enable Tamil Nadu to carry out strengthening measures as suggested by Central Water Commission with the concurrence of the Government of Kerala. This is being partially restored to 13.41 TMC ft. when the water level is kept at 142 ft. as per the Orders of the Hon'ble Supreme Court dated 27.02.2006 and 07.05.2014. The Government of Tamil Nadu could not utilise a quantity of about 26.23 TMC ft. due to the reduction in storage in the Mullai Periyar Dam from 1979 and it had created undue hardship to the farmers of the 5 Districts in Tamil Nadu. The Vaigai Dam is primarily dependent on the North East Monsoon. Therefore, Tamil Nadu has to utilise the flows of the Mullai Periyar Dam to meet the entire requirements of the Vaigai Basin depending on its own catchment and the diversion of water from the Mullai Periyar Reservoir. The operation of the Mullai Periyar Reservoir is managed in such a way as to obtain optimum utilisation of the available water considering the probable monsoon rainfall and the need. Therefore, the Government of Kerala cannot interfere with the regulation of flows from the Mullai Periyar Dam.

The increase in the water storage level in Mullai Periyar Dam from June 2014 onwards is gradual and steady and

not sudden. The rainfall in the catchment area is also not heavy.

I would also like to inform that the Government of Tamil Nadu on 01.11.2014 had already replied to the letter of Government of Kerala dated 31.10.2014, wherein among others, it had been categorically stated that the Mullai Periyar Dam is structurally, hydrologically and seismically safe to initially store water up to 142 ft. and also that the contention of Kerala to restrict the storage to 136 ft. is against the decree of the Supreme Court dated 07.05.2014. In this context, I would also like to point out that the Supreme Court appointed Supervisory Committee in the meeting held on 03.11.2014 had decided that there is apparently no immediate justification to open the Gates.

Further, the representation presented to the Chairman of the Supervisory Committee on Mullai Periyar Dam by the Government of Kerala dated 12.11.2014 had already been examined by this Government and a detailed report sent to the Chairman of the Committee on 15.11.2014 with a copy to the Chief Secretary, Kerala.

I, therefore, request you to extend full co-operation to implement the orders of the Constitution Bench of the Hon'ble Supreme Court to store water up to 142 ft. in Mullai Periyar Dam.







**Another Incident of Arrest of Fishermen:
Central Intervention Sought for Release**




D.O. letter dated 24.11.2014

“I write to bring to your notice, one more incident, in which 14 fishermen in three fishing boats bearing registration Nos. IND-TN-06-MM-595, IND-TN-06-MM-625 and IND-TN-10-MM-384, who set sail from Rameswaram fishing base of Ramanathapuram District and Jagathapattinam fishing base of Pudukkottai District on 23.11.2014 have been apprehended by the Sri Lankan Navy. The boats and fishermen have been taken to Kangesanthurai in Sri Lanka and are under detention.


It is unfortunate that this incident has taken place after the recent positive development in which 5 fishermen who were sentenced to death in a foisted case of transporting narcotic substances were released on 20.11.2014. You are aware that the Government of Tamil Nadu on the directions of my Leader Puratchi Thalaivi Amma had



been relentlessly raising the issue of the release of these 5 fishermen with the Government of India ever since their arrest in 2011. On the instructions of my Leader the State Government had also funded the entire legal costs of the defence of these five fishermen and also supported their families throughout this period with financial grants. As soon as information on the award of death penalty to these 5 fishermen was received on 30.10.2014, the Government of Tamil Nadu requested you to immediately take up the matter with the highest authorities in Sri Lanka to ensure that the lives of the 5 innocent Indian fishermen are saved and they are released to return home at the earliest. The Government of India was also requested to direct the Indian High Commission in Sri Lanka to set in motion the legal procedure for appeal and secure the best legal counsel and support for the effective defence of the 5 fishermen. The Government of Tamil Nadu also sanctioned Rs. 20 lakh towards the legal costs for the defence of the 5 fishermen.

Based on the request of the Government of Tamil Nadu you had personally intervened in the matter and the 5 fishermen were released on 20.11.2014. I thank you for your timely intervention.

However, the latest incident which occurred on 23.11.2014 shows that the Sri Lankan authorities have resorted to their familiar tactics of harassing and




intimidating Indian fishermen from Tamil Nadu while they fish in their traditional fishing waters in the Palk Bay. May I remind you that 24 fishermen belonging to Tamil Nadu who were apprehended by the Sri Lankan Navy nearly 2 months ago are still in custody, apart from the 14 fishermen apprehended, yesterday (23.11.2014).

Further the devious and sinister strategy of the Sri Lankan authorities, which our Beloved Leader Puratchi Thalaivi Amma had already brought to your notice, of not releasing the fishing boats which were apprehended in successive incidents wherein Indian fishermen were harassed and arrested while pursuing their peaceful avocation of fishing, has now very seriously impacted the livelihood of Indian fishermen and their families in Tamil Nadu. 75 fishing boats from Tamil Nadu continue to be in Sri Lankan custody apart from the 3 boats which were apprehended on 23.11.2014.

The Sri Lankan strategy of not releasing the boats of our fishermen is causing great frustration amongst the fishermen of Tamil Nadu. Without their livelihood base, these fishermen are in a state of despondency. I urge you to take this up with the highest authorities of the Sri Lankan Government and ensure the immediate release of the precariously berthed boats which continue to suffer great damage in the North-East Monsoon.

Nearly 10 lakh fisherfolk in Tamil Nadu depend on marine fishing as their only source of livelihood. As our beloved Leader, Puratchi Thalaivi Amma had indicated earlier, the Government of Tamil Nadu under her leadership had taken a number of steps towards diversification of their avocation to minimize the pressure on the marine ecosystem. A two pronged approach is necessary at this juncture to solve this chronic problem. One is sanction of the financial package of Rs.1,520 crore and a recurring grant of Rs.10 crore per annum for maintenance dredging, that our Leader had requested from the Central Government, which would go a long way in improving the socio economic status of the fishermen. The second is the abrogation of the 1974 and 1976 agreements and retrieval of Katchatheevu as well as restoration of the traditional and historical fishing grounds of the Palk Bay to the Tamil Nadu fishermen. The ceding of Katchatheevu to Sri Lanka has been challenged on extremely valid and legal grounds by our Leader Puratchi Thalaivi Amma in her personal capacity and also by the Government of Tamil Nadu in the Hon'ble Supreme Court of India. Denying our fishermen, the right to peaceful fishing in their traditional waters of the Palk Bay to which they have a historical claim is causing considerable angst amongst the fisherfolk of Tamil Nadu. I request your personal intervention to immediately resolve this long pending issue by retrieving



Katchatheevu and restoring the traditional fishing rights of our fishermen as has been demanded by our beloved Leader Puratchi Thalaivi Amma.

May I request you to instruct the Ministry of External Affairs to take up the matter immediately and ensure the prompt release of the 38 fishermen, including the 14 detained yesterday, who are languishing in Sri Lankan jails and the release of 78 boats currently in Sri Lankan custody?”






**‘Route Subsidies to LPG Consumers
Through State Governments’**





D.O. letter dated 28.11.2014

“I understand that the Government of India has launched the Modified Direct Benefit Transfer to LPG consumers (MDBTL) Scheme in 54 districts of the country on 15th November, 2014. Further, in Tamil Nadu, MDBTL is proposed to be launched on 1st January, 2015.

Our respected and beloved Leader Puratchi Thalaivi Amma had written to the then Prime Minister and also indicated in the memorandum presented to you on 3rd June, 2014 that Tamil Nadu as one of the most progressive and well governed States in the country has already adopted the mechanism of Direct Cash Transfer, through bank accounts of the beneficiaries, for schemes which involve conditional cash transfers like Scholarships, Maternity Benefits, Social Security Pensions etc., on its own initiative.

In principle, the Government of Tamil Nadu is strongly opposed to any move to monetize and transfer in cash



the subsidy element under the Public Distribution System including kerosene and fertilizers where the issue is not just the quantum of subsidy, but the critical concern is access to and timely availability of commodities.

Further, as already emphasized by our beloved Leader Puratchi Thalaivi Amma on grounds of sound administrative practice and to ensure that the States are true partners in development, the direct transfer of cash to the bank accounts of the beneficiaries should be effected by the State Governments with the Centre releasing its share to the States. I am glad to note that our suggestion of not making Adhar Number mandatory has been incorporated in the MDBTL guidelines.

Ideally, we would prefer that even in the case of LPG there should have been no monetization of the subsidy and the subsidy amount should have been released through the State Governments. But given that the entire subsidy is borne by the Government of India and the distribution network is also under the control of the Oil Marketing Companies which are Central Public Sector Undertakings, this is primarily an issue within the Government of India's administrative competence and jurisdiction.





However, in order to ensure that the consumer is not put to any hardship **I request you to kindly instruct the concerned Ministry** to address certain deficiencies that we foresee. Firstly, the scheme requires the availability of adequate banking infrastructure across the State. In remote and rural areas, people may find it difficult to access

nationalized bank branches. Therefore, in order to deepen penetration in the villages, the Primary Agricultural Co-operative Societies and Post Offices can also be involved in delivering the subsidy which would reduce the inconvenience. In urban areas, Urban Co-operative Banks can also be involved in the delivery of subsidy. In fact, we already face this problem in rolling out transfer of old age pensions through bank accounts, as banks are not in a position to make available a robust mechanism for door disbursement of pensions which has been the delivery mechanism so far through postal money orders. I therefore suggest that adequate banking facilities may be made available throughout the State.

Further, it is essential to protect the consumer from fluctuations in the market price of LPG which is linked to international prices. Hence, the total amount of subsidy should not be fixed and should be increased as and when the market price of LPG increases and such increased amounts credited to the bank accounts to ensure that the consumers are not put to hardship. Lack of clarity on this aspect would lead to considerable dissatisfaction amongst consumers, especially those of the lower and middle classes.

I trust that the suggestions made by the Government of Tamil Nadu would be kept note of while implementing the Modified Direct Benefit Transfer to LPG Consumers.”






**‘Drop Move to Scrap Subsidized
Kerosene Supply through PDS’**



D.O. letter dated 06.12.2014

“A section of the media has reported that the Ministry of Finance has taken a decision to scrap the supply of subsidized kerosene through the Public Distribution System. It has been reported in a leading newspaper that the Centre plans to write to the States asking them to provide subsidized kerosene only to un-electrified households. It quotes a Union Finance Ministry source as having said that States which have achieved near 100 per cent electrification will be incentivized to become kerosene-free. In the remaining States, un-electrified households would be given a choice to choose between cash subsidy in lieu of kerosene allocation and upfront subsidy for greener solar lighting systems. This decision is reportedly based on an interpretation of the 2011 Census data that kerosene is not the fuel of choice for cooking and is used primarily for lighting purposes.

If the Government of India is actually contemplating such a harsh and punitive measure, it would impose considerable hardship on the people of a State like Tamil Nadu. Our Beloved Leader Puratchi Thalaivi Amma had in the Memorandum presented to you on 03.06.2014 and in a letter written to you on 11th July, 2014, and earlier to your predecessor sought an increase in the monthly allocation of kerosene to meet Tamil Nadu's full requirement of 65,140 Kilo litres of kerosene per month. Presently the allotment of PDS Kerosene to Tamil Nadu, after 10 successive reductions from the level of 59,780 Kilo litres prevalent in March 2010, stands at 29,056 Kilo litres. This causes considerable hardship to poor and middle class people in the State who are the main users of kerosene.

In many parts of Tamil Nadu, particularly in rural areas, most households use kerosene as the main cooking fuel. In addition, even in other households it is used as a supplementary and starter fuel. It is also used for supplementary lighting purposes in remote areas. Further, most households which have LPG connections, even in urban areas, have only a single cylinder connection which means they rely on kerosene as a supplementary fuel. Our Beloved Leader Puratchi Thalaivi Amma had pointed out that not providing sufficient allocation of kerosene would have environmental consequences due to the greater use of firewood. A complete elimination of subsidized kerosene would be an environmental disaster.



Moreover, as our Beloved Leader Puratchi Thalaivi Amma had also emphasized in the Memorandum presented to you on 3rd June, 2014, Tamil Nadu is strongly opposed to monetizing and transferring in cash the subsidy element of Public Distribution System subsidies, including kerosene, where the critical concern is not the quantum of subsidy but the availability of commodities.

In these circumstances, I strongly urge you to instruct the Ministry of Finance to reconsider any such proposal to scrap the supply of subsidized kerosene through the PDS and also to transfer the subsidy element by cash or other alternatives. I reiterate our standing request to restore Tamil Nadu's monthly kerosene allocation to its full requirement of 65,140 Kilo litres per month in order to ensure that the poor and the middle classes are saved from unnecessary hardship”.






**Quick Issue of DAS Licence Urged
to Tamil Nadu Arasu Cable**




D.O. letter dated 09.12.2014


“You may recall that one of the first actions that our beloved leader Puratchi Thalaivi Amma took on assumption of office as Chief Minister of Tamil Nadu in May, 2011, was the revival of the defunct Tamil Nadu Arasu Cable TV Corporation (TACTV), a Government of Tamil Nadu Public Sector Undertaking formed to provide cable television services to the poor and middle class customers in the State.

TACTV is providing Cable TV services in 31 of the 32 Districts of Tamil Nadu since 02.09.2011. In Chennai services were commenced subsequently. As a service provider targeting the middle class and poor customers, TACTV provides a package of 100 channels to subscribers at a cost of Rs.70/- per month, the lowest rate anywhere in the country. Public response has been overwhelming with a rapid ramp up of the subscriber base which has reached nearly 24,000 Local Cable Operators with 65 lakh

individual subscribers. This has made TACTV the single largest Multi System Operator in India. The rejuvenation of TACTV has freed the people of Tamil Nadu from the clutches of the erstwhile Multi System Operators who were consistently fleecing customers by charging Rs.150 – 250 per month for a bouquet of just 30 – 70 Channels.

The Government of India had issued a Conditional Addressable System (CAS) license covering Chennai City to TACTV on 02.04.2008. Based on this license TACTV is now transmitting signals in the Chennai Metro Area as well. Subsequently, the Cable Television Networks (Regulation) Act, 1995 was amended and the ‘Conditional Access System’ area was modified to ‘Digital Addressable System’ (DAS) area. Accordingly, TACTV has taken all necessary steps to commence operations in the Digital Mode in Chennai City. TACTV promptly applied to the Ministry of Information and Broadcasting for the Digital Addressable System license on 05.07.2012 for operating in the Chennai Metro Area and on 23.11.2012 for operating in the rest of Tamil Nadu. In preparation for commencing digital operations, orders were placed for the supply of Set Top Boxes, Conditional Access System and Subscriber Management System and erection of Head End at a cost of about Rs.50 crore.

Even as TACTV’s applications for licenses were kept pending, it is learnt that in the previous UPA Government,




the Ministry of Information and Broadcasting issued licenses to nine other Multi System Operators in Tamil Nadu, including those who applied after TACTV. In order to take up this issue strongly, on the directions of our Beloved Leader Puratchi Thalaivi Amma, delegations of Members of Parliament from Tamil Nadu repeatedly met the then Union Ministers for Information and Broadcasting and even the former Prime Minister to request the speedy issue of licenses since the digitization had to be completed within a time frame.

The Madurai Bench of the Hon'ble High Court of Madras had also passed orders in a Writ Petition pending before it, as early as 06.12.2012, that the process of issue of license to Tamil Nadu Arasu Cable TV Corporation may go on and the license may also be issued. Our Beloved Leader Puratchi Thalaivi Amma had also written to the then Prime Minister of India to direct the Ministry of Information and Broadcasting to issue license to TACTV.

Despite all these efforts, the Digital Addressable System license is yet to be issued by the Ministry of Information and Broadcasting. It is learnt that Ministry of Information and Broadcasting had constituted an Inter Ministerial Committee(IMC) on 03.01.2013 to look into the recommendations of Telecom Regulatory Authority of India (TRAI) on the licensing issue and the Committee has still not submitted its final report.

As per the provisions of the Cable TV Network (Regulations) Act, 1995 and Rules thereof a person or an association of individuals or a company registered under the Companies Act, is entitled to obtain a DAS license. TACTV is fully qualified under the Act to be issued such a license. We strongly suspect that the non-issuance of the DAS license to TACTV by the previous UPA Government was only to facilitate particular private business interests, as other licenses were issued at the same time.

The issue of a DAS License to Tamil Nadu Arasu Cable TV Corporation was one of the issues our Beloved Leader Puratchi Thalaivi Amma had highlighted in the Memorandum presented to the Hon'ble Prime Minister on 3rd June, 2014. Our Beloved Leader had also written a detailed letter to the former Minister of State (Independent Charge) for Information and Broadcasting on 4th June, 2014, on this issue. This is an issue on which we were keenly expecting an early decision from your Government in view of the clear legal position and the strong merits of the case. The updated status on the Cabinet Secretariat's website on pending issues of State Governments with Government of India still indicates that the matter is under consideration of the IMC. You would agree that nearly two years is an inordinate amount of time for an Inter-Ministerial Committee of officials to take to formulate a view on an issue of this nature.



Therefore, I request you to kindly have this matter reviewed at the earliest and arrange to issue the ‘Digital Addressable System’ license to the Tamil Nadu Arasu Cable TV Corporation Ltd without any further loss of time. This would enable the Government of Tamil Nadu to adhere to its commitment to provide inexpensive and quality Cable TV services to the people of Tamil Nadu, particularly the poor and the middle class”.






**Long-term Solution to Problems
of Fishermen Sought**



D.O. letter dated 10.12.2014

“I write to bring to your kind notice, yet another incident, in which 14 fishermen in two fishing boats bearing registration Nos. IND-TN-06-MM-2524 and IND-TN-06-MM-567 who set sail from Nagapattinam fishing base of Nagapattinam District on 09.12.2014 have been apprehended by the Sri Lankan Navy. Another 14 Tamil Nadu fishermen who were on board a fishing boat from Karaikal base of Pudhucherry were also apprehended by the Sri Lankan Navy. The boats and fishermen have been taken to Kangesanthurai in Sri Lanka and are in custody.

It is unfortunate that this incident has taken place immediately after the Tamil Nadu Legislative Assembly in an unanimous Resolution passed on 05.12.2014, urged the Central Government to secure the immediate release of 38 Tamil Nadu fishermen languishing in Sri Lankan Jails as well as to take necessary action for the release of 79 fishing boats which have been seized



by the Sri Lankan authorities. The livelihood of our fishermen is being threatened by the Sri Lankan strategy of not releasing their boats. Many of these boats have been in custody and unused and without any maintenance for over 6 months, causing huge damage and loss. My Beloved Leader Puratchi Thalaivi Amma had written to you several times indicating that the Sri Lankan Government has been pursuing a devious and sinister strategy of not releasing the apprehended fishing boats in successive incidents where Indian fishermen are harassed and arrested while pursuing their peaceful avocation of fishing in their traditional fishing waters in the Palk Bay.

At this juncture, I would like to point out that the Chief Secretary, Government of Tamil Nadu in his letter dated 06.12.2014, had replied to the Foreign Secretary, Government of India stating that if the Sri Lankan side initiates the release of all the Tamil Nadu fishermen along with their fishing boats in Sri Lankan custody, the Government of Tamil Nadu will also initiate necessary steps for the release of the Sri Lankan fishermen along with their fishing boats. But this latest episode of arrest of Tamil Nadu fishermen and their boats raises apprehensions about the true intention of the Sri Lankan Government regarding the release of Tamil Nadu fishermen and their boats.

The Government of Tamil Nadu reiterates its firm commitment to the restoration of the traditional fishing rights of our fishermen in the Palk Bay and the retrieval

of Katchatheevu which had been an integral part of India since time immemorial. The Government of India should also not treat the International Maritime Boundary Line (IMBL) with Sri Lanka as a settled question as the constitutionality of the 1974 and 1976 agreements have been challenged on extremely valid and legal grounds by the Government of Tamil Nadu and my Leader Puratchi Thalaivi Amma in her personal capacity in the Hon'ble Supreme Court of India.

I also wish to recall that my Beloved Leader Puratchi Thalaivi Amma had already requested a Comprehensive Special Package for Diversification of Fisheries at a cost of Rs.1,520 crore and a recurring grant of Rs.10 crore per annum for maintenance dredging as part of the Memorandum presented to you on 3rd June, 2014. An early approval of the Comprehensive Special Package for Diversification of Fisheries by Government of India would go a long way in finding a long term solution to this sensitive issue.

I, therefore, request your urgent intervention for finding a long term solution to this issue which includes the retrieval of Katchatheevu and sanction of the requisite financial package. I also urge you to secure the immediate release of the 66 fishermen who are in the custody of the Sri Lankan authorities as well as 81 fishing boats, including the 28 fishermen and two fishing boats apprehended on 9.12.2014”.






**‘Intervene to Free 24 Fishermen
Arrested by Bangladesh Navy’**





D.O. letter dated 11.12.2014

“I wish to bring to your notice the plight of 24 fishermen from Kanniyakumari District in Tamil Nadu who were arrested by the Bangladesh Navy on 9.12.2014.

It is reported that the 24 fishermen belonging to Tamil Nadu engaged as fishing labourers on a share basis, went for deep sea fishing in three boats from Bettuagad near Calcutta in West Bengal on 17th November, 2014. These 24 innocent fishermen have been arrested by the Bangladesh Navy for allegedly crossing the International Maritime Boundary Line on 09.12.2014.

These innocent fishermen are the sole breadwinners of their families and engage in deep sea fishing in order to eke out a meagre livelihood. Their arrest and detention will severely affect their families and dependants in Tamil Nadu.



Hence, I request you to kindly direct the officials of the Ministry of External Affairs, Government of India to co-ordinate with the High Commission of India, in Dhaka, Bangladesh and intervene at the diplomatic level to secure the immediate release of these 24 poor fishermen from Tamil Nadu”.






**‘Scrap Clearance to Kerala for Study
Regarding New Mullai Periyar Dam’**




D.O. letter dated 13.12.2014

“It is seen from the web site of the Ministry of Environment and Forests, Government of India that the Standing Committee of National Board for Wild Life has given consent to the proposal of the Government of Kerala for conducting an Environmental Impact Assessment Study for construction of a new Mullai Periyar Dam in a 10 Kms. radius of the proposed dam site.

I would like to point out in this regard that the 5 Member Constitution Bench of the Hon’ble Supreme Court in its Judgment dated 07.05.2014 in O.S. No.3 of 2006 has held as follows:-

“213. In this view of the matter for the construction of new dam, there has to be agreement of both the Parties. The offer made by Kerala cannot be thrust upon Tamil Nadu. Issue No.9, therefore, has to be decided against Kerala and it is so held.”

Therefore, the Hon'ble Supreme Court of India had categorically held that the Government of Kerala is prohibited from constructing a new dam.

The Hon'ble Supreme Court in its Judgment dated 07.05.2014 had relied upon the report of the Empowered Committee headed by Dr. Justice A. S. Anand, Retired Chief Justice of the Hon'ble Supreme Court which had held that since the existing dam is found safe, the proposal of the State of Kerala to build a new dam requires reconsideration by the State of Kerala. The Empowered Committee had also found that the Mullai Periyar Dam is hydrologically, structurally and seismically safe to raise the water level in the Dam to 142 ft. initially.

Even when the matter had reached a finality and the Hon'ble Supreme Court of India has since dismissed the Review Petition filed by Kerala, the Government of Kerala has again approached the National Wild Life Board by not revealing the entire facts and the Judgments of the Hon'ble Supreme Court and obtained permission by stealth. The people of Tamil Nadu are, therefore, justifiably perturbed over the clearance given to the Government of Kerala for conducting the Environmental Impact Assessment Study in a 10 Kms. radius for the construction of a new Dam.

In this context, I would like to reiterate the categorical finding of the Hon'ble Supreme Court that the Mullai Periyar Dam is hydrologically, structurally and seismically safe and permitted Tamil Nadu to raise the water level to 142 ft. initially. Therefore, the action of the Standing

Committee of National Board for Wild Life, in giving clearance to the Government of Kerala for conducting the Environmental Impact Assessment Study is totally in violation of the Judgments of the Hon'ble Supreme Court both in letter and in spirit.

Under the circumstances, I request you to direct the Ministry of Environment and Forests to withdraw the clearance given by the Standing Committee of National Board for Wild Life for conducting the EIA Study for the construction of a new Mullai Periyar Dam by the Government of Kerala.

The Mullai Periyar Dam is owned and operated by the Government of Tamil Nadu under the lease agreement of 1886. The rights of Tamil Nadu under the agreement of 1886 have been crystallized in the Judgment of the Hon'ble Supreme Court and operates as res judicata against Kerala. Further, the plea raised by Kerala relating to the lease deed dated 29.10.1886 and structural safety of Mullai Periyar Dam has been finally decided by the Hon'ble Supreme Court in its Judgments dated 27.02.2006 and 07.05.2014 and Kerala is estopped from raising or re-agitating the issues again. Therefore, any request from the Government of Kerala to the Government of India, Ministry of Water Resources/ Ministry of Environment and Forests regarding construction of a new Mullai Periyar Dam should not be acted upon by any agency of Government of India.

I look forward to your immediate positive response”.





‘Secure Release of Fishermen, Boats’



D.O. letter dated 16.12.2014

“The Government of India through two letters written by the Foreign Secretary dated 01.12.2014 and 11.12.2014 to the Chief Secretary, Government of Tamilnadu requested the Government of Tamil Nadu to release the 30 Sri Lankan fishermen and their fishing boats in custody in Tamil Nadu in order to pave the way for the release of 66 Indian fishermen from Tamil Nadu and 81 fishing boats currently in Sri Lankan custody.





As you are aware, My Beloved Leader Puratchi Thalaivi Amma has consistently taken up the issue of the release of the Tamil Nadu fishermen and specifically of the fishing boats which have been detained since June, 2014 leading to their deterioration in the South-West and North-East monsoon periods.

In the past, Tamil Nadu had always co-operated with the Government of India to ensure that there was a

parallel and simultaneous release of fishermen of both the Indian and Sri Lankan sides. However, on this occasion the Government of India is insisting on the Government of Tamil Nadu initiating the process of release of the Sri Lankan fishermen and their boats.

Ordinarily, we would have expected the Government of India to have supported the Government of Tamil Nadu's stand and prevailed upon the Sri Lankan Government to arrange a simultaneous release of fishermen and their boats. It now appears that the Government of India has ruled out this possibility. In these circumstances, and in view of the approaching Christmas festival, in a spirit of accommodation and magnanimity and as a humanitarian gesture, the Government of Tamil Nadu is prepared to release the 30 Sri Lankan fishermen and their 19 boats currently in custody in Tamil Nadu on 22.12.2014, after completion of formalities, so that they can return home and celebrate Christmas with their families. I request you to ensure that the Government of Sri Lanka also releases the 66 Tamil Nadu fishermen and their 81 boats which are in the custody of Sri Lanka at the same time so that they can also return home in time for Christmas".






**Centre Urged Against Rushing through
Legislation on GST**



D.O. letter dated 19.12.2014

“As you are aware, my Beloved Leader Puratchi Thalaivi Amma has repeatedly highlighted the impact of the proposed Goods and Services Tax (GST) on the fiscal autonomy of States and the huge permanent revenue loss such a taxation system is likely to cause to a manufacturing and net exporting State like Tamil Nadu. Therefore, we have emphasized that before the enactment of the Constitutional Amendment Bill on GST is taken up, the Government of India should strive for a broad consensus on the important issues relating to GST like compensation period and methodology, revenue neutral rates, floor rates with bands, commodities to be excluded from GST, IGST Model and clarity on dual administrative control, so that the genuine apprehensions of the States over loss of fiscal autonomy and permanent revenue loss are allayed.

I understand that the latest draft Constitution (One Hundred and Twenty Second Amendment) Bill, 2014,




on GST which has been circulated to the States by the Government of India addresses partially the issue relating to compensation mechanism. However, there are still a number of concerns of the State that need to be addressed. At this juncture, before evolving a consensus on the important issues, attempts are being made to push through the legislation relating to GST much to the charring of the States.

The draft Bill proposes that the GST Council will make recommendations on a whole range of issues relating to subsuming of taxes, cesses and surcharges under GST, exemptions for goods and services, model GST laws, etc. For clarity on the implications, it is essential to evolve a consensus amongst the States on the critical issues like revenue neutral rates and bands, threshold, clarity on dual control and compensation formulae under the aegis of the Empowered Committee before legislating on the GST.

We have consistently been opposed to the idea of the GST Council as a constitutional body as it compromises the autonomy of the States including in fiscal matters. In particular, we strongly object to the decision making rule and voting weightage which gives the Government of India an effective veto in Council and further makes no distinction amongst the States in the weightage.

Inspite of our repeated objections, Petroleum products such as petrol and diesel, which are currently outside the




purview of State VAT in most States, are still proposed to be covered under GST in the draft Bill. However, the date on which such tax shall come into effect has been left to the decision of the GST Council. Considering the short supply chain, collection of tax on Petroleum and Petroleum products at the first and second points of sale is now being done efficiently and without leakage. Bringing these products under the ambit of GST will entail huge revenue loss to the States as Input Tax Credit will have to be provided eventually. This also has environmental implications and compromises on the goal of energy conservation. Hence, I reiterate our earlier request that Petroleum and Petroleum products should be totally kept outside the purview of GST.

Further, the draft Bill also does not include enabling provisions for States to levy higher taxes on Tobacco and Tobacco products, similar to what has been permitted for the Centre. We urge that States should also be permitted to levy higher tax over and above SGST on these products.

The draft Bill provides for the Parliament to enact law to provide for compensation to the States for such period which may extend to 5 years on the recommendation of the GST Council. It is understood that the compensation is proposed to the extent of 100% for the first 3 years, 75% in the 4th year and 50% in the 5th year. This is not acceptable to us. Taking into account the permanent

losses that would accrue to the State, we urge that 100% compensation should be provided to the States for the entire period of 5 years. Considering the State's past experience with the Centre's compensation mechanism both for the introduction of VAT and the reduction of Central Sales Tax, it is doubtful whether a fair, hassle-free and workable compensation mechanism can be devised and implemented. Hence, it is imperative that a consensus be arrived at on the methodology and the period relating to compensation. Further, this should be included in the Constitutional Amendment Bill itself.

Manufacturing States like Tamil Nadu stand to lose huge revenue if GST is implemented, as GST will be based on the destination principle. Hence, we had suggested that States may be permitted to retain 4% of CGST part of the IGST on all inter-State sales without crediting any amount to a compensation fund. This has not been agreed to. On the contrary, the draft Bill envisages that the States be permitted to levy additional tax on sale of goods to the extent of 1% in the course of inter-State trade or commerce for a period of 2 years or such other period as the GST Council may recommend. Further, the draft Bill empowers the Government of India to exempt goods from this additional levy of 1%. This is not acceptable to us and I would like to reiterate our earlier suggestion that States should be permitted to retain 4% of CGST part of



the IGST on all inter-State sales/transfer of both goods and services.

Finally, I wish to state that the current proposal of the Government of India to introduce a Constitutional Amendment Bill on GST and then to evolve a consensus on various aspects of GST, especially the actual tax rates and tax bands, etc., through the GST Council is not acceptable to us. We would rather suggest that the Government of India should permit the Empowered Committee of State Finance Ministers to try and evolve a broad consensus on the critical issues before the enactment of the Constitutional Amendment Bill on GST is taken up. I strongly urge you against hustling through the Constitutional Amendment Bill hastily as such a move is bound to have serious long term implications for the fiscal autonomy and revenue position of the States. The Government of India must ensure that the States' fears are allayed and a true consensus is achieved before such a far-reaching reform is attempted".





**Tamil Nadu Reiterates Demand
for Release of Fishermen**



D.O. letter dated 20.12.2014



“You would recall that I had written to you on 16.12.2014, indicating that, in view of the approaching Christmas festival, in a spirit of accommodation and magnanimity and as a humanitarian gesture, the Government of Tamil Nadu is prepared to release the 30 Sri Lankan fishermen and their 19 boats currently in custody in Tamil Nadu on 22.12.2014, after completion of formalities, so that they can return home and celebrate Christmas with their families. I had also requested you to ensure that the Government of Sri Lanka also releases the 66 Tamil Nadu fishermen and their 81 boats which are in the custody of Sri Lanka at the same time so that they can also return home in time for Christmas.

We understand from a letter dated 19.12.2014 received from the Ministry of External Affairs that although the offer of the Government of Tamil Nadu was conveyed



to the Government of Sri Lanka, the Government of Sri Lanka is agreeable only to release 66 Indian fishermen but not the boats. As you would recall, my respected Leader Puratchi Thalaivi Amma has consistently taken up the issue of the release of the fishing boats which have been detained since June, 2014, leading to their deterioration in the South-West and North-East monsoon periods. Hence it is disappointing to learn that the Sri Lankan Government is unwilling to release the boats of the Tamil Nadu fishermen. It only confirms what my respected Leader Puratchi Thalaivi Amma had always maintained, that the Government of Sri Lanka is pursuing a sinister strategy of depriving fishermen families in Tamil Nadu of their source of livelihood. I urge you to immediately take up once again the issue of release of the fishing boats of our fishermen.

However, given the approaching Christmas festival, in a spirit of generosity and magnanimity, the Government of Tamil Nadu will go ahead with the release of all the 30 fishermen from Sri Lanka on 22.12.2014. We expect that the Government of India will ensure that the 66 fishermen from Tamil Nadu in Sri Lankan custody will also return home well in time for Christmas”.







Centre Asked to Re-think ‘Skewed Amendment’ to Electricity Act

D.O. letter dated 23.12.2014

“I write this letter seeking your urgent intervention in view of the far reaching implications of The Electricity (Amendment) Bill, 2014, introduced in the Lok Sabha on 19.12.2014. These draft amendments seek to bring significant changes in the existing Electricity Act without taking the State Governments into confidence and getting their concurrence on these major changes in this Act. By separating carriage and content in the distribution sector, this Bill, in one stroke, will make all power utilities in the public sector totally unviable. This Bill seeks to give unbridled access to private players to supply power to consumers and enable them to use the already laid out distribution network of the public sector power companies. Without any investment in the distribution network or any responsibility to maintain the network, the proposed supply licensees would be able to access all the high value customers in commercially viable areas amounting to



cherry picking without any social obligations, while the State public sector power utilities would only be left with the obligation of power supply to subsidised categories of consumers. This will make the State public sector power distribution companies further financially sick. Such a skewed amendment to the Act without proper consultation with the State Governments at the appropriate level, and without considering the views of the State Governments, is totally against the federal spirit of the Indian Constitution and co-operative federalism which you have been espousing.

I, therefore, request you to withdraw the Bill till a proper discussion and debate on the consequences of such amendments are considered by convening a meeting of Chief Ministers.

May I request an immediate positive response from you on this sensitive issue?"






**Request for 100 MW Unallocated
Power from Kudankulam**



D.O. letter dated 29.12.2014

“As per the request of my revered Leader Puratchi Thalaivi Amma, the Government of India allocated 100 Mega Watts out of 150 Mega Watts of unallocated power from the first Unit of the Kudankulam Atomic Power Plant to Tamil Nadu on 27.09.2012. Now, it has been brought to our Government’s notice that 50 Mega Watts of unallocated power of Kudankulam Atomic Power Plant Unit-II out of the unallocated 150 Mega Watts, has been allocated to Telangana State.

In this context, I would like to point out that my revered Leader Puratchi Thalaivi Amma had already requested in the Memorandum submitted to you on 03.06.2014, to allocate the entire 15% unallocated power in Kudankulam Atomic Power Plant Unit I & II to Tamil Nadu. As you are aware, Tamil Nadu has come forth with all necessary inputs like land, water etc., for the expeditious completion of the project while neighbouring States were not supportive.



The deft handling of the issue by the State Government ensured that there was no disruption in commissioning and running of the Kudankulam Atomic Power Plant. Our revered Leader Puratchi Thalaivi Amma had taken prompt and effective steps to allay the fears of the local people regarding the establishment of the Atomic Power Plant.

I therefore request you to direct the Ministry of Power to allocate the unallocated 100 Mega Watts of Kudankulam Atomic Power Plant Unit-II immediately to Tamil Nadu” .







**‘Continue Subsidy for Naphtha –based
Fertilizer Plants’**




D.O. letter dated 30.12.2014

“I am writing to you regarding the issue of continuance of subsidy for the two Naphtha based urea fertilizer plants located in Tamil Nadu viz. SPIC, Tuticorin and Madras Fertilizers Ltd., Manali till such time gas connectivity is provided to these two plants by the Government of India.


Based on our revered Leader Puratchi Thalaivi Amma’s letter to you dated 9th June, 2014, Government of India had approved the extension of subsidy till 30th September, 2014. However, since no decision was communicated regarding the continuance of the subsidy, the plants have been shut down since 1st October, 2014, adversely affecting the livelihood of hundreds of workers and disrupting the production of urea in the State and the Country necessitating higher imports. I had drawn your attention to this situation in my letter dated 11th October, 2014.



In a letter addressed to the Chief Secretary, Tamil Nadu, the Union Fertilizer Secretary has informed that the Government of India has decided to allow the operation of these units for a further period of 100 days and he has also requested that the State Government should consider waiving VAT on the Naphtha used by SPIC and Madras Fertilizers Ltd. I understand that the notification for the continuance of subsidy has not yet been issued pending the confirmation from the State Government on the waiver of VAT.

Tamil Nadu is already facing a huge financial crunch and any additional financial outgo at this juncture would be very difficult to manage considering the limited sources of revenue to the State. However, in the interest of commencing the operations of these two plants, the livelihood of hundreds of workers and the interest of farmers, the Government of Tamil Nadu is willing to forego the VAT on Naphtha used by the two urea producing fertilizer plants.

It is understood that the oil marketing companies are charging the import parity price for the Naphtha supplied by them to the fertilizer units which is significantly higher than the price at which the oil marketing companies export Naphtha. Hence, it would only be fair for the oil marketing companies to claim only the export parity price for the Naphtha supplied to the fertilizer units.



I, therefore, request the Government of India to issue the notification for the continuance of the subsidy immediately to the two fertilizer units in Tamil Nadu. I strongly reiterate the earlier request made by our revered Leader Puratchi Thalaivi Amma regarding the continuance of the subsidy till such time gas connectivity is provided to these two units by the Government of India. I also request that for logistics and other reasons, Tamil Nadu's allocation of urea may be made from the production of the two fertilizer units located in Tamil Nadu”.





**‘Denotify Bulls from List
of Performing Animals’**



D.O. letter dated 14.01.2015

“You may be aware that Jallikattu, a traditional sporting event of Tamil Nadu, is conducted as a part of the Pongal festivities in which bulls that are reared exclusively for this event are tamed by able bodied youth. This event has considerable historical significance and is ingrained as part of the cultural tradition of Tamil Nadu as a sport which was popular among warriors since the “Sangam era”. This tradition is followed till now. It is inextricably linked to rural, agrarian customs and has religious overtones, with families donating bulls to temples in fulfilment of vows. The second day of Pongal is dedicated to showing gratitude to the bulls that serve the farmer. This event also addresses the cause of conservation of native germplasm since bulls with excellent physical attributes are reared. This 2000 year old traditional sport which finds a mention in the ancient Tamil treatise “Silapathigaram” has been

conducted unhindered with all the associated religious fervour.

It would also be appropriate to mention here that the domesticated bull was categorised as a ‘performing animal’ along with wild animals such as Bears, Monkeys, Tigers, Panthers, Lions by the Ministry of Environment and Forests, Government of India vide notification no. **GSR 528 (E) dated 11.07.2011** superseding the earlier notification vide **GSR 619 (E) dated 14.10.1998**.

It is pertinent to point out that this notification attracts the provisions of Section 22(ii) of the Prevention of Cruelty to Animals act, 1960, which states that “... as a performing animal, any animal, which the Central Government may, by notification in the official gazette, specify as an animal which shall not be exhibited or trained as a performing animal” and thereby this notification prohibits the conduct of Jallikattu.

Considering the fact that Jallikattu is viewed as a cultural festival with religious overtones, the rural farmers of Tamil Nadu have been shocked by the abrupt ban on the sport which has been cherished and savoured for centuries. The ban has hurt the sentiments of millions of rural farmers for whom this sport is a religious, social and cultural event.

Considering the cultural, traditional and religious sentiments of the people of Tamil Nadu, the Government of Tamil Nadu as per the directions of my revered leader, Puratchi Thalaivi Amma has taken consistent efforts for the last several months to remove bulls from the list of performing animals as per the notification dated 11.07.2011. The Secretary, Animal Husbandry and Fisheries, Government of Tamil Nadu, has had several rounds of discussions with the officials of the Ministry of Environment and Forests, Government of India, on the above mentioned issues. The most recent discussions were held on 07.01.2015 and 12.01.2015. We were hopeful that the Government of India would issue this notification forthwith. Media reports also state that the Union Minister for Environment and Forests has stated that the notification would be issued very shortly which would facilitate the conduct of Jallikattu and the Rekla Race. However, the Government of India has not yet issued this notification.

In this context, with the Pongal festival fast approaching, I request you to honour the sentiments of the people of Tamil Nadu by instructing the officials of the Ministry of Environment and Forests to take immediate action to denotify bulls from the list of performing animals so that Jallikattu could be conducted from 16.01.2015 as per the usual practice”.






**‘Voluntary Repatriation
Only After Credible Measures
by Sri Lanka Government’**



D.O. letter dated 28.01.2015

“I write to you on an issue of serious concern regarding the future of the Sri Lankan Tamil refugees currently living in Tamil Nadu. The Ministry of External Affairs has written to the Government of Tamil Nadu inviting a senior officer of the State Government to attend an inter-ministerial meeting on 30.01.2015 on the issue of voluntary repatriation of Sri Lankan Tamil refugees to Sri Lanka. As you are aware, even now, refugees who want to leave for Sri Lanka on their own volition, do so. Therefore this meeting could be perceived to be an exercise to encourage Sri Lankan Tamil refugees to leave for Sri Lanka. Further, I would like to place on record that the conditions in the Northern and Eastern provinces of Sri Lanka are still not conducive for the refugees to return to their native land.

A total of 3,04,269 refugees came to Tamil Nadu in four phases from 24.07.1983 till date. No refugees have come into India since 2013. So far, about 2,12,000

refugees have gone back by their own arrangements, with Government assistance and with UNHCR assistance. At present there are a total of 1,02,055 refugees belonging to 34,524 families still in Tamil Nadu of whom 64,924 belonging to 19,625 families are in 107 refugee camps.

Tamil Nadu has been very accommodative of the Sri Lankan Tamil refugees. It has been the endeavour of this Government under the leadership of my revered leader Puratchi Thalai Amma to ensure that the Sri Lankan Tamils living in refugee camps in the State are enabled to live a life of dignity, safety and security. Hence, a momentous decision was taken by my revered leader Puratchi Thalai Amma which was announced in the Governor's Address on 3rd June, 2011, to extend the benefits of all welfare schemes implemented in Tamil Nadu to the Sri Lankan Tamil refugees. Accordingly, the monthly cash assistance to refugees residing in camps has been enhanced substantially from Rs. 400 per month to Rs. 1,000 per month for the head of the family; from Rs. 288 per month to Rs.750 per month for adult members of the family; and from Rs. 180 and Rs. 90 per month to Rs. 400 per month for children below 12 years. In addition, 20 kg of rice is being made available every month free of cost to each family. Each family is also entitled to purchase sugar, wheat, dhal and oil under the Public Distribution System at subsidized rates. Sri Lankan Tamil refugee children are eligible for free education up to Class XII

and also receive text books, note books, school uniforms, cycles, noon meals, bus passes, laptop computers and accessories such as geometry boxes, colour pencil boxes etc., free of cost as in the case of other students in Tamil Nadu. These students have also been made eligible for admission to Professional Colleges and Arts and Science colleges. They are also eligible to avail of scholarships and admission to Government run hostels.


The refugee families have also been made eligible for various social welfare schemes including the monthly pension of Rs. 1,000 under Social Security Scheme; family distress relief scheme payment of Rs 25,000 in the case of death due to accident; the benefits under the Moovalur Ramamirtham Ammaiyar marriage assistance scheme and the Dr. Muthulakshmi Reddy maternity benefit scheme; the Girl Child Protection scheme and the Mahalir Thittam (formation of women's Self Help Groups). In addition, the Government has also sanctioned Rs. 25 crore for upgrading the basic amenities in the refugee camps including drinking water supply. Rs 19.86 crore has also been sanctioned for construction of 1,655 durable houses at a cost of Rs 1.20 lakh per house in selected camps. All these measures have ensured that the Sri Lankan Tamil refugees have been able to live a life of dignity in Tamil Nadu.

My revered leader Puratchi Thalaivi Amma has repeatedly called for justice to be rendered to the



Sri Lankan Tamils. The Tamil Nadu Legislative Assembly has also passed various Resolutions to ensure this.

In this context, recent political developments are a cause for hope and have raised expectations of reconciliation. However, there are still apprehensions about the presence of the Sri Lankan Army in Tamil areas. The atmosphere of fear, intimidation and of possible human rights violations has not entirely dissipated. There is a concern that Tamils could be reduced to a minority even in their own traditional habitation areas. There are internally displaced Tamils in Sri Lanka who are still living in camps. The positive intention of the new Government in Sri Lanka to ensure rehabilitation and reconciliation are yet to be translated into action which would give confidence to the Sri Lankan Tamils living outside Sri Lanka to return. Credible and specific reconciliation measures must be undertaken which alone can create adequate confidence amongst the Sri Lankan Tamil refugees to return to their native land. Our interactions with the refugees in Tamil Nadu and through NGOs working with refugees also reinforce this conclusion. The Sri Lankan Tamil refugees in Tamil Nadu are particularly concerned about the pace and manner in which the internally displaced persons within Sri Lanka are being rehabilitated. The autonomy and democratic rights of the minority Tamil population in the country must be fully protected and they should not be subjected to further persecution and humiliation nor their second class



citizenship status perpetuated. Only after such measures are taken and confidence restored, will the refugees be able to even countenance any possible voluntary repatriation.

The process of voluntary repatriation could be considered only after concrete and credible measures are taken by the Sri Lankan Government and the Sri Lankan refugees in Tamil Nadu are given adequate verifiable assurances and gain the requisite confidence to return to their native land. In this context, we believe that having a meeting to discuss voluntary repatriation of Sri Lankan Tamil refugees is premature and should be deferred for the present”.






**Reminder to Railway Minister
on Projects Crucial for Tamil Nadu**




D.O. letter dated 06.02.2015

“The Railway Budget for 2015-16 is to be presented shortly. This will be the **first full budget** to be presented by the new Government and there are considerable expectations from it. As a large and fast growing State with rising aspirations, Tamil Nadu has certain specific proposals and suggestions for the Railway Budget which I am sure you would be able to consider positively.

Recognizing that world class infrastructure is a pre-requisite for rapid growth and development, my revered leader Puratchi Thalaivi Amma had launched the Tamil Nadu Vision 2023 Document aimed at identifying and implementing infrastructure projects in a number of sectors, including railways, at a total cost of Rs.15 lakh crores. Out of the 217 identified projects in the Vision Document, ten are crucial Railway Projects costing Rs.1,88,400 crores approximately. My revered Leader

Puratchi Thalaivi Amma had specifically mentioned these 10 railway projects in the Memorandum presented to the Prime Minister on 03.06.2014:-

- | Sl.No. | Project Name |
|---------------|---|
| 1. | Complete doubling for Chennai – Kannyakumari line |
| 2. | Sriperumbudur - Guindy freight line |
| 3. | Chennai – Thoothukudi freight corridor |
| 4. | High speed passenger rail link – Chennai – Madurai – Kannyakumari |
| 5. | High speed passenger rail link – Madurai to Coimbatore |
| 6. | High speed passenger rail link – Coimbatore to Chennai |
| 7. | Chennai – Bengaluru high speed rail link |
| 8. | Chennai – Bengaluru freight corridor |
| 9. | Avadi – Guduvancheri rail link |
| 10. | Avadi / Tiruvallur – Ennore port link |

It is learnt from the Southern Railway officials that some of these projects – most notably the doubling of the Chennai-Kannyakumari broad guage line and the Avadi-Guduvancheri and the Avadi/Tiruvallur-Ennore port link

are being taken up for implementation. We request you to kindly ensure that adequate funds are allocated in the railway budget 2015-16 for the early completion of these projects.


I expect that the Chennai-Bengaluru freight corridor and the Chennai-Bengaluru high speed passenger link would be high priority projects under the Chennai-Bengaluru Industrial Corridor promoted by the Department of Industrial Policy and Promotion, Government of India.

In your letter No 2014/W-I/Genl./SPV/Odisha dated January, 2015, you had requested States to come forward to partner with the Indian Railways to form Special Purpose Vehicles for raising funds for the development of the rail network in the State. Tamil Nadu is a progressive State which is at the forefront of attempting innovative means of raising funds for infrastructure development. Recently, based on a clearance by the Tamil Nadu Infrastructure Development Board in a meeting chaired by my revered Leader Puratchi Thalaivi Amma, the development of the Madurai Thoothukudi Industrial Corridor as an integrated project was approved. This Corridor includes two sets of projects – industrial node development and trunk infrastructure projects. Three of the trunk infrastructure projects proposed under the Corridor are railway projects – the Chennai-Thoothukudi freight corridor, Chennai-Madurai-Kanniyakumari high speed passenger link and Coimbatore-Madurai high speed passenger link.

In the Vision 2023 document, we had already proposed implementing these projects in the Public Private Partnership mode through an SPV of Indian Railways and Government of Tamil Nadu. Hence, the Government of Tamil Nadu would be willing in principle to enter into an MOU to set up an SPV to promote these three railway projects proposed in the Madurai Thoothukudi Industrial Corridor.

In this context, given the previous experience of the State Government in promoting railway projects with Central Government agencies including the Ministry of Railways and part financing some railway projects, I would like to make the following specific suggestions:

- Since the land is typically provided by the State Government, this should be treated as part of the State Government's equity contribution to the SPV at market value.
- Matching equity contributions from Ministry of Railways could be in cash or in the form of land owned by the Railways or other Central Government departments.
- In the case of equity contributions in cash, there should be assurances that these contributions by both sides would be made in time to ensure that projects do not suffer delays due to lack of adequate funding.
- The governance structure should be well-balanced, with adequate participation by the State Government.



I would also like to re-iterate a request made by my revered Leader Puratchi Thalaivi Amma in the Memorandum presented to the Prime Minister. This is the integration of the Chennai Mass Rapid Transit System, a project implemented by the Railways with substantial contribution from Government of Tamil Nadu both in terms of funds and land, with the Chennai Metro Rail. Such integration would enable effective synergies between various modes of public transport in Chennai. The issue has been under consideration of the Railway Board for quite some time now. I believe this is a request which can be easily accepted as it would involve no financial outlay at all for the Railways.

Your predecessors had announced a number of projects in the past few years in successive Railway Budgets. A list of these projects announced for Tamil Nadu is annexed for your kind reference. These announcements had raised public expectation considerably, but the work on these projects has been very slow. Hence, I request you to kindly allocate sufficient funds in the budget to expedite the completion of these projects.

On behalf of the Government of Tamil Nadu and my revered leader Puratchi Thalaivi Amma, I would be grateful if these proposals and suggestions are favourably considered in the Railway Budget 2015-2016.”



ANNEXURE

Railway Projects Announced in successive Railway Budgets and work yet to commence



Sl.No.	Name of the Project
1.	New line from Morappur – Dharmapur
2.	(a) 5th and 6th line on Chennai to Villivakkam and (b) New line for Villivakkam and Katpadi Sections
3.	New line from Chidambaram to Attur via Ariyalur
4.	Doubling from Trivandrum to Kanniyakumari
5.	Doubling Jolarpettai – Katpadi – Arakkonam
6.	From Bodinayakanur to Kottayam
7.	Doubling from Renigunta to Arakkonam
8.	3rd & 4th lines from Attippattu – Gummidipoondi
9.	New line from Jolarpettai to Hosur via Krishnagiri
10.	New line between Mayiladuthurai – Tirukadaiyur -Tharangambadi - Tirunallar – Karaikal
11.	New line from Ramanathapuram – Kanniyakumari via Thoothukudi – Tiruchendur

12. New line between Karaikudi – Thoothukudi via Ramanathapuram
13. New line from Karaikal to Sirkazhi
14. New line from Salem (Namakkal) – Karaikal via Perambalur, Ariyalur
15. Doubling from Irugur – Podanur
16. Doubling from Thiruvananthapuram to Kanniyakumari via Nagercoil
17. New BG line between Madurai (Bodinayakanur) and Ernakulam (Cochin)
18. New line between Dindigul to Kumuli via Bodi and Theni
19. Doubling and Electrification of Madurai - Kanniyakumari via Tirunelveli including Nagercoil Junction Terminal facilities.
20. New BG line between Chennai and Sriperumbudur via Saidapet
21. New line between Thanjavur and Ariyalur
22. New line from Madurai – Karaikudi via Melur




**Release Sought of 29 Fishermen held
by Sri Lankan Navy**

D.O. letter dated 27.02.2015


I write to bring to your notice, an incident of apprehension of fishermen from Tamil Nadu, in which 29 fishermen and three fishing boats bearing registration Nos. IND-TN-06-MM-44, IND-TN-06-MM-743 and IND-TN-08-MM-1306 who set sail -on 24.2.2015, have been apprehended on 26.2.2015 by the Sri Lankan Navy and are under detention.

It is unfortunate that this incident has taken place even after the change in regime in Sri Lanka. In a situation where the untiring efforts towards the welfare and safety of Tamil Nadu fishermen relentlessly pursued by my revered leader Puratchi Thalaivi Amma were bearing fruit, it is unfortunate that the festive mood on the eve of St. Antony's Festival in Katchatheevu, has been completely vitiated by the actions of the Sri Lankan Navy which has apprehended 29 fishermen and their three fishing boats.



The fishermen in Tamil Nadu are also eagerly awaiting the return of the 81 fishing boats which were in Sri Lankan custody for a long time and have been recently released due to the concerted efforts of my revered leader Puratchi Thalaivi Amma and the Government of Tamil Nadu.

Nearly 10 lakh fisherfolk in Tamil Nadu depend on marine fishing as their only source of livelihood. As our revered Leader Puratchi Thalaivi Amma had indicated earlier, the Government of Tamil Nadu under her leadership had taken a number of steps towards diversification of their avocation to minimize the pressure on the marine ecosystem. A two pronged approach is necessary at this juncture to solve this chronic problem. One is sanction of the financial package of Rs.1520 crores and a recurring grant of Rs.10 crores per annum for maintenance dredging, that our Leader had requested from the Central Government, which would go a long way in improving the socio economic status of the fishermen. The second is the abrogation of the 1974 and 1976 agreements and retrieval of Katchatheevu as well as restoration of the traditional and historical fishing grounds of the Palk Bay to the Tamil Nadu fishermen. The ceding of Katchatheevu to Sri Lanka has been challenged on extremely valid and legal grounds by our Leader Puratchi Thalaivi Amma in her personal



capacity and also by the Government of Tamil Nadu in the Hon'ble Supreme Court of India.

May I request you to instruct the Ministry of External Affairs to take up the matter immediately and ensure the prompt release of the 29 fishermen from Tamil Nadu and their 3 boats from Sri Lankan custody?






Tamil Nadu Conditions for Taking Over ESIC Medical Colleges




D.O. letter dated 11.03.2015

“I write this letter to invite your kind attention to the proposed move of Employees State Insurance Corporation (ESIC) to withdraw from the medical college projects undertaken by it. Two such projects are located in Tamil Nadu at Chennai and Coimbatore.

My Revered Leader Puratchi Thalaivi Amma has been striving hard to maintain Tamil Nadu’s position as a model State in India in the area of preventive and curative health care and to provide world class medical infrastructure for the people of the State. As part of my Revered Leader Puratchi Thalaivi Amma’s vision, the Government of Tamil Nadu is encouraging the establishment of state of the art hospitals, medical colleges and also augmenting the medical and health facilities across the State. Tamil Nadu also has a policy of starting at least one Government medical college in every district and the State now has

19 Government medical colleges and 13 self financing medical colleges.

The sudden and drastic decision of ESIC not to further admit students and to exit from medical education has come as a rude shock to the students studying in the college. Of the ESIC's two Medical College projects in Tamil Nadu, the project in Chennai at K.K.Nagar is a functioning Medical College since 2013-14, with an undergraduate intake of 100 students each year and also has 38 postgraduate students on rolls during the current academic year (2014-15). The other project is a proposed Medical College at Coimbatore under construction which is yet to get MCI approval. The uncertainty about the continuance of the ESIC Medical Colleges has fuelled anxiety and agitation amongst the students studying in them. The ESIC on its part has been seeking "in principle" consent of the State Government for taking over these institutions subject to certain conditionalities.

The Medical college and hospital at Chennai is being established at a cost which has been indicated to be Rs.494.62 crores. The proposed Medical College and hospital at Coimbatore is being constructed at an estimated cost which has been indicated to be Rs.580.57 crores. One of the conditions indicated by ESIC is that the State would have to provide Rs.376.42 crores for the Chennai project and Rs.194.81 crores for the Coimbatore project i.e. a total of Rs.571.23 crores as balance liabilities

for these two ongoing projects. On this issue, I would like to bring to your notice that the cost at which these Medical College projects have been undertaken is very high, as establishment of a Government medical college and hospital by the State Government works out to only around Rs.200 crores. Even for the Medical Colleges funded through Government of India, the Project cost has been indicated as Rs.189 crores only.

With a view to resolving the uncertainty regarding the continuance of these two Medical College Projects, ensuring that they are not abandoned midway and to allay the fear amongst the students who were legitimately and validly admitted in the college, the Government of Tamil Nadu conveys its “in principle” consent to take over the colleges subject to the following conditions:-

- The ESI Corporation commits to bearing the entire balance capital cost of Rs.571.23 crores (both building and equipments).
- The recurring expenditure of the college component will be met from State funds.
- Recurring expenditure of hospital will be met under the ESI pattern of reimbursement under which 87.5% will be met by Government of India.
- Staff employed by ESI will be absorbed by the State Government and they should agree to work as per

State Government scales of pay and regulations subject to pay protection.



- Hospital will continue as an ESI hospital for insured patients (industrial workers and their families) as requested by the ESI Corporation.

- At present, 65% of seats are surrendered to the State Government, 15% to All India quota and 20% for ESI employees. **After take over, the Medical seats must be shared as per the current norms for Government Medical Colleges i.e. 85% for State quota and 15% for All India quota.**



- The title of the Land and Buildings should be transferred to the State as per the conditionality of the MCI.

I would be happy if you could kindly intervene in this issue and impress upon the concerned Ministries to accept the proposal of the Government of Tamil Nadu”.



**‘Constitute Cauvery Management
Board Immediately’**

D.O. letter dated 21.03.2015

“I write this letter to bring to your attention, the repeated violation of the final award of the Cauvery Water Disputes Tribunal by Government of Karnataka. Karnataka continues with its intransigent stand to construct a reservoir at Mekedatu without obtaining any clearance from the Government of India, the Cauvery Water Disputes Tribunal or the Government of Tamil Nadu. According to media reports, the Government of Karnataka had allotted funds to prepare a Detailed Project Report (DPR) to construct a reservoir at Mekedatu.

In this context, I would like to point out that my revered leader Puratchi Thalaivi Amma on 2.9.2013 had urged the Government of India to advise the Government of Karnataka not to take up any schemes including hydro electric projects in the Cauvery Basin of Karnataka without the prior consent of the Government of Tamil Nadu and

further requested to advise the Ministry of Environment and Forests, Government of India not to accord clearance to any projects of Karnataka in the river Cauvery till a permanent monitoring mechanism viz., the Cauvery Management Board is formed.

I have also in my letter dated 12.11.2014 brought to your notice that the plan of Karnataka to construct two reservoirs at Mekedatu across the River Cauvery to which Karnataka had invited Global Expression of Interest for a technical feasibility study is a clear violation of the Final Order of the Cauvery Water Disputes Tribunal and requested to advise the Government of Karnataka to withhold the Expression of Interest for the technical feasibility study and also not to take any steps to execute any irrigation, hydro power, lift irrigation schemes or any other scheme in the guise of drinking water supply in the Cauvery Basin of Karnataka without the consent of the Government of Tamil Nadu.

The Government of Tamil Nadu has filed an Interlocutory Application (I.A.No.20/2014) in the Supreme Court on 18.11.2014, inter-alia, to restrain the Government of Karnataka from proceeding with the construction of reservoirs at Mekedatu or any other new projects across the river Cauvery in Karnataka which are not contemplated and/ or permitted in the final decision of the Tribunal, besides seeking orders to maintain status quo


till the disposal of the Civil Appeals and the constitution of the Cauvery Management Board.

I would like to point out that the Tamil Nadu Legislative Assembly on 5.12.2014, passed a unanimous resolution seeking the Government of India's intervention to advise the Government of Karnataka not to proceed with the construction of 2 new Dams at Mekedatu and schemes in the guise of drinking water supply through the Cauvery Neeravari Nigama Ltd., and to stop them till the Cauvery Management Board comes into force.

I would like to reiterate that the unilateral action of the Government of Karnataka to proceed with the execution of two new reservoirs across Mekedatu would amount to gross violation of the Final Order dated 5.2.2007 as notified in the Gazette on 19.2.2013 as it would affect the flow of the water to Tamil Nadu.

Under the circumstances, I once again urge you to advise the Government of Karnataka not to proceed with their illegal plan of construction of reservoirs at Mekedatu and also not to take up any scheme in the Cauvery basin without prior permission of Government of Tamil Nadu.



I regret that the repeated request of my revered leader Puratchi Thalaivi Amma for the formation of the Cauvery Management Board and the Cauvery Water Regulation Committee for the effective implementation of the Final





Order of the Cauvery Water Disputes Tribunal as notified in the Gazette of India on 19.2.2013 has not yet been acceded to.

May I therefore request you to instruct the Ministry of Water Resources to constitute the Cauvery Management Board and the Cauvery Water Regulation Committee without any further delay so as to ensure that the Final Order of the Cauvery Water Disputes Tribunal is implemented in letter and spirit?”



**‘MEA must Forthwith Take up Release
of Indian Fishermen with Sri Lanka’**

D.O. letter dated 22.03.2015


As you are aware, my revered leader Puratchi Thalaivi Amma, in view of the sentiments and desire of the fishermen community of Tamil Nadu to hold talks with the fishermen of Sri Lanka to sort out the day to day issues faced by them while fishing in the Palk Bay and in the interest of keeping a channel of communication open between the fishermen communities of both countries, had facilitated holding fishermen level talks between fishermen associations of Tamil Nadu and Sri Lanka. The next round of talks is scheduled to be held in Chennai on 24.3.2015. The Sri Lankan fishermen delegation is programmed to arrive in Chennai in the morning of 23.3.2015 (Monday).

At a time when all the groundwork for the talks has been completed and there was eager anticipation amongst the fishermen community that these talks could lead to a significant breakthrough in a long-pending and vexatious

issue, it is most disconcerting and shocking to learn that the Sri Lankan Navy has apprehended and arrested 54 innocent fishermen belonging to Tamil Nadu and their 10 boats in two separate incidents which took place in the early hours of 22.3.2015 when the fishermen were engaged in their peaceful avocation in their traditional fishing waters in the Palk Bay. 33 fishermen in 5 boats belonging to Rameswaram fishing base in Ramanathapuram District and 21 fishermen in 5 boats belonging to Jagathapattinam in Pudukottai District who set sail on 21.3.2015, were apprehended by the Sri Lankan Navy and have been remanded up to 27.3.2015 and 2.4.2015 respectively.

These latest incidents, coming as they do on the eve of the fishermen level talks, constitute an extremely unfortunate development. The unprovoked and belligerent action has caused tremendous anxiety and agitation amongst the fishermen community in Tamil Nadu. The assiduous and decisive steps being taken by the Government of Tamil Nadu under the guidance of my revered leader Puratchi Thalaivi Amma to defuse the tense situation prevailing in the coastal districts of Tamil Nadu and to create a conducive and accommodative atmosphere for the smooth conduct of bilateral fishermen level talks, could be undermined by this action of the Sri Lankan authorities.



This latest incident definitely requires your personal intervention and we exhort you to take concrete and





decisive action to ensure the immediate release of the 54 apprehended fishermen and their 10 boats. I request you to instruct the Ministry of External Affairs to take up the matter with the Sri Lankan Government forthwith and impress upon the Sri Lankan authorities to arrange for the immediate release of our fishermen and their boats.

I wish to state that, only when all the apprehended fishermen in Sri Lankan custody and their boats are released would the talks be meaningful and conducted in a conducive atmosphere.



**‘Release Water from Kandaleru
for Chennai’**

D.O. letter dated 31.03.2015

“I am writing this letter to seek your personal intervention for the release of Krishna Water to Chennai city immediately. As summer is fast approaching and the levels in the Chennai reservoirs have depleted, I request you to order the release of water from Kandaleru immediately so that atleast 2 TMC ft. of water is realised at zero point in Tamil Nadu.

You would recall that in response to your letter dated 20.9.2014, the Government of Tamil Nadu released a sum of Rs.25 crores towards Tamil Nadu’s share of expenditure towards the Telugu Ganga Project which was handed over during the 43rd Liaison Committee meeting on 28.1.2015. The Government of Tamil Nadu will also be releasing another instalment of Rs.25 crores.

During the 43rd Liaison Committee meeting, the request of the Government of Tamil Nadu for supply of

3 TMC ft. of water during the months of February and March, 2015 was agreed to by the Government of Andhra Pradesh. However, only 1.34 TMC ft. of water has been realised at Tamil Nadu border after the meeting up to 21st March, 2015. Since then, there has been no realisation of water at the Tamil Nadu border. I would also like to bring to your kind notice that as against the stipulated quantity of 4 TMC ft. of water to be supplied to Tamil Nadu from January to April, 2015, as per the Agreement, Tamil Nadu has realised only a quantity of 1.74 TMC ft. from January, 2015 to 21.3.2015 at the Tamil Nadu border.

I therefore request you to kindly instruct the concerned officials to ensure immediate release of water from Kandaleru so that atleast 2 TMC ft. is realised at the Tamil Nadu border in the month of April, 2015.

I shall be thankful for your immediate response in this matter.”






**Central Sanction Sought for Financial
Package to Boost Fishermen's Lives**



D.O. letter dated 04.04.2015

I write to bring to your notice, yet another incident of apprehension of Indian fishermen from Tamil Nadu, in which 37 fishermen in 5 mechanised fishing boats who set sail from Nagapattinam fishing base of Nagapattinam District have been apprehended by the Sri Lankan Navy on 3.4.2015. The boats and fishermen have been taken to Kangesanthurai in Sri Lanka and the fishermen have been remanded to judicial custody.


It is unfortunate that this incident has taken place immediately after the 3rd round of fishermen level talks which were recently held at Chennai on 24.3.2015. As you are aware, my revered leader Puratchi Thalaivi Amma, in view of the sentiments and desire of the fishermen community of Tamil Nadu to hold talks with the fishermen of Sri Lanka to sort out the day to day issues faced by them while fishing in the Palk Bay and in the interest of keeping



a channel of communication open between the fishermen communities of both countries, had commenced holding of fishermen level talks between fishermen associations of


Tamil Nadu and Sri Lanka. The 3rd round of fishermen level talks between the fishermen of both the countries which was held on 24.3.2015 went on smoothly and in a conducive atmosphere. The fishermen on both sides were confident that the talks would give a positive momentum towards finding a permanent solution to their fishing issues.

At a time when we were hopeful that a pragmatic and permanent solution to this issue would emerge as a result of the fishermen level talks, it is disconcerting to read media reports quoting senior Sri Lankan leaders, stating inter alia that the Sri Lankan Navy would be directed to apprehend Indian fishermen fishing in their traditional fishing waters of the Palk Bay. We are concerned that this most recent act of the Sri Lankan Navy will be seen in the light of these statements and will again heighten the anxiety and unrest in the minds of our fishermen and vitiate the atmosphere of goodwill which was generated as a result of the fishermen level talks. A firm, clear, unequivocal and unambiguous message should be sent out by the Government of India to the Sri Lankan side to ensure that these trends are reversed and the livelihood of the poor and innocent fishermen from Tamil Nadu who are engaged in their traditional occupation and fish in their traditional waters are protected.



The statements and the most recent incident yet again highlight the importance of retrieving the Katchatheevu islet and abrogation of the 1974 and 1976 agreements thereby restoring the traditional and historical fishing grounds of the Palk Bay to the Tamil Nadu fishermen. The ceding of Katchatheevu to Sri Lanka has been challenged on extremely valid and legal grounds by our revered leader Puratchi Thalaivi Amma in her personal capacity and also by the Government of Tamil Nadu in the Supreme Court of India.

You are also aware that under the guidance of our revered leader Puratchi Thalaivi Amma, the Government of Tamil Nadu has the greatest concern for the conservation of the marine ecosystem and does not support unsustainable practices. We have taken a number of steps to minimize the pressure on the marine ecosystem. Our revered leader Puratchi Thalaivi Amma had requested in the Memorandum presented to you on 3.6.2014, for sanction of a financial package of Rs.1520 crores and recurring grant of Rs.10 crores which would go a long way in improving the socio economic status of the fishermen from the coastal areas of Tamil Nadu. I strongly urge you to direct the concerned Ministries to sanction the package at the earliest. Early action on the permanent solution for the Katchatheevu problem and long term diversification measures must be initiated.



I request that this latest incident of apprehension of our fishermen be taken up at the highest diplomatic level. It should be ensured that this unfortunate incident receives the much needed priority attention that it deserves and the Government of India should take necessary steps to ensure the safety and security of our fishermen. The Government of India should secure the immediate release of the 37 fishermen and the 18 boats in Sri Lankan custody, including the 5 mechanised boats which were apprehended on 3.4.2015.






**Red Sanders Killings –
Tamil Nadu Wants Credible Enquiry**



D.O. letter dated 07.04.2015

“I am very distressed to learn that in an operation conducted early this morning (07.04.2015) by the Red Sanders Anti-Smuggling Task Force personnel of Andhra Pradesh in the Srivarimettu and Eesagunda areas in Seshachala forest area, about twenty persons sustained bullet injuries and succumbed to the injuries on the spot. Many of these persons are reportedly from Tiruvannamalai and Vellore Districts of Tamil Nadu. While it is possible that these persons may have been engaged in illegal activities, the occurrence of such high casualties in the operation raises concerns whether the Task Force personnel acted with adequate restraint. Even if the persons had been engaged in illicit tree cutting, efforts could have been made to apprehend them rather than take such drastic action and cause such high casualties.



In these circumstances, I request you to kindly order a credible and speedy enquiry into the matter so that the facts are established and responsibility fixed for possible human rights violations. In case of any human rights violations, it is essential that action is taken against those who caused the deaths and appropriate compensation is paid to the families of the victims.”







**Centre must Stop Karnataka from
Going Ahead with Mekedatu Plans**




D.O. letter dated 25.04.2015

“I wish to bring to your kind notice once again, that inspite of repeated requests from my revered leader Puratchi Thalaivi Amma, the Government of Karnataka is proceeding with its programme of construction of a reservoir at Mekedatu, in scant respect to the Final Order of the Cauvery Water Disputes Tribunal dated 5.2.2007 notified by the Government of India on 19.2.2013.

I would like to point out that repeated requests of my revered leader Puratchi Thalaivi Amma and the resolutions passed by the Tamil Nadu Legislative Assembly on 5.12.2014 and 27.3.2015 and sent to you vide my letters dated 12.12.2014 and 27.3.2015 for immediate action have not been positively acted upon by the concerned Ministries of the Government of India. No action has been taken by the Government of India to constitute the Cauvery Management Board and the Cauvery Water Regulation



Committee for the effective implementation of the Final Order of the Cauvery Water Disputes Tribunal, as yet.

The media had widely reported that the Government of Karnataka is proceeding with its attempt to execute the project of construction of a reservoir at Mekedatu across Cauvery in the guise of providing drinking water, inspite of opposition from Tamil Nadu. Further, the media also has been quoting the views of certain political party leaders of Karnataka that there is no need for the Government of Karnataka to get the approval of the Government of India to construct reservoirs for drinking water purposes. Such an attempt will be a clear violation of the Final Order of the Cauvery Water Disputes Tribunal.



In this context, I would also like to bring to your kind notice that the Government of Karnataka has challenged the Final Order of the Cauvery Water Disputes Tribunal and also has sought clarifications to the said Final Order before the Tribunal which are still to be adjudicated upon. Further, the Interlocutory Applications filed by the Government of Tamil Nadu against the unilateral action of the Government of Karnataka for construction of reservoirs across Cauvery and to withdraw the Global Expression of Interest for Technical Feasibility Study to construct two reservoirs at Mekedatu which are not in consonance with the Final Order of the Cauvery Water Disputes Tribunal are also pending before the Hon'ble Supreme Court.

I would like to reiterate that the unilateral action of the Government of Karnataka to proceed with new irrigation, hydro power projects, lift irrigation projects and construction of check dams in the guise of drinking water supply would amount to gross violation of the notified Final Order of the Cauvery Water Disputes Tribunal, and it would severely affect the flow of water to Tamil Nadu.



Under the circumstances, I request your personal intervention in the matter and urge you once again to advise the Government of Karnataka not to proceed with their illegal plan of construction of reservoir at Mekedatu, in the guise of supplying drinking water, in utter disregard of the Final Order of the Cauvery Water Disputes Tribunal dated 5.2.2007. Further, the Government of Karnataka may be strongly advised not to embark upon any project without the consent of the Government of Tamil Nadu as well as the concurrence of the Cauvery Management Board.

May I also request you to direct the Ministry of Water Resources to accede to the long pending request of my revered leader Puratchi Thalaivi Amma for the constitution of the Cauvery Management Board and the Cauvery Water Regulation Committee without any further delay?"



**‘Need to Reconsider Any Changes
to Interest Subvention Scheme’**





D.O. letter dated 29.04.2015

“I would like to draw your attention to the reports that Government of India is contemplating changes in the interest subvention scheme for short-term crop loans for farmers.

The criticality of farm credit in sustaining growth in the agricultural sector cannot be overemphasized. This is particularly so in the present context when the farm sector and the farming community are beleaguered by adversity in different forms. The need of the hour is ensuring that farmers have access to concessional credit.


It is in this context that the Government of Tamil Nadu has been providing a further 4% subvention to Primary Agricultural Co-operative Societies from the State’s budget, in addition to the 2% interest subvention provided through banks and the additional 3% subvention provided



to farmers who repay promptly. This additional subvention provided by the Government of Tamil Nadu makes farm credit interest free for those farmers who avail of loans through the co-operative system and promptly repay their loans.

The Reserve Bank of India in its circular dated 16th April, 2015, has indicated that the Government of India is considering certain changes to the interest subvention scheme and has indicated that the Government of India decided as an interim measure to implement the Interest Subvention Scheme as it exists till 30th June, 2015, since the Government of India has not yet finalised a modified scheme which is more efficacious and efficient. Summer cropping in Tamil Nadu is limited and therefore the majority of farmers in Tamil Nadu would require loans only after June for the Kuruvai season and after August/September for the Samba crop and other crops. Therefore, the Interest Subvention Scheme should be continued beyond 30th June, 2015 so that the farmers are assured of easy credit during the main cropping season in Tamil Nadu.

It is learnt that the Government of India is contemplating two major changes in the scheme. The first, is reportedly allowing banks to lend at their normal priority sector lending rate which is related to their base rate. It is learnt that the second proposal is to change the method of disbursing the interest subvention to a Direct Benefit Transfer




(DBT) based reimbursement model, after the farmer has settled his liabilities to the lending institutions.

Any reduction in the extent of concessionality of farm loans is uncalled for and will be a retrograde measure. Given the extensive damage to standing crops caused due to unseasonal rains in many parts of the country and the recent forecast of a below normal monsoon by the Indian Meteorological Department, any move to make farm loans less concessional will be courting disaster.

Further, in the context of the stressful scenario described above, expecting farmers to pay a higher interest rate and then having the amount reimbursed through a DBT would be ill-advised, as it would force the farmers to find cash resources to pay the higher interest dues first. DBT based reimbursement is not an appropriate model for farm credit. All loanee farmers have bank accounts and the interest subvention reaches individual farmers only through the banking network. Hence, adopting DBT for these transactions represents no real process value addition and only adds a needless layer of complexity to the transaction.

Hence, I request you to direct the concerned Ministries to urgently reconsider any proposed changes in the interest subvention scheme. Neither should the level of concessionality for crop loans be reduced, nor should the mode of disbursement of interest subvention be changed to a needlessly



complex DBT based re-imbusement mechanism as these would not be in the interest of the farmers.

I urge that before any change is made in the Interest Subvention Scheme, given the importance of the Scheme to the farming community in all States, the proposals should be discussed with the Chief Ministers of States in the National Development Council or the Governing Council of the NITI Aayog and a decision taken thereafter based on the consent and concurrence of the States”.






**New Central Guidelines on Fishing
'Illegal, Set Dangerous Precedent'**




D.O. letter dated 03.05.2015

“I wish to bring to your kind attention a serious issue relating to two recent decisions of the Ministry of Agriculture, Government of India that could in effect lead to swamping by foreign fishing vessels in India’s Exclusive Economic Zone and also increase the regulatory burden on domestic fishing fleets.

The new Deep Sea Fishing Guidelines issued by the Department of Animal Husbandry Dairying and Fisheries, Ministry of Agriculture on 12th November, 2014, have changed the definition of ‘Deep Sea Fishing Vessels’ reducing the Over All Length (OAL) to 15 metres instead of the OAL of 20 metres as per the original guidelines issued in 2004 and continued in the guidelines issued in 2013. Further, the definition of ‘Operator’ has been expanded to include “joint ventures” with up to 49% foreign equity. This definition also includes now ‘Any Indian Citizen’.

The procedure for engaging foreign crews has also been made easier with the removal of the requirement for prior clearance from Government of India. Further, as per a Public Notice issued on 28th November, 2014, by the Department of Animal Husbandry Dairying and Fisheries, Ministry of Agriculture, the system of issuing Letters of Permission (LOP) has been expanded for Deep Sea Fishing Vessels to conduct fishing in the Exclusive Economic Zone (EEZ) which will operate for all vessels with an OAL of 15 metres and above. Thus even the existing Indian coastal fishing vessels which are between an OAL of 15 metres and 20 metres will now be required to obtain a LOP which was not required earlier.

The new Guidelines issued by the Government of India will adversely affect the local fishermen in Tamil Nadu because out of the 5,500 Mechanised fishing boats in Tamil Nadu more than 80% of the boats are above 15 metres OAL and are engaged in near shore fishing just beyond the territorial waters of India. Obtaining LOPs from the Government of India and voyage clearances from the Indian Coast Guard for each fishing voyage is extremely impractical.


In this connection, I also wish to point out that the new Guidelines are per se illegal because they are contrary to the existing laws on the subject. As per Section 7(5) of the Territorial Waters, Continental Shelf, Exclusive Economic

Zone and Other Maritime Zones Act 1976, a citizen of India need not get any licence or letter of authority from the Central Government for fishing in the EEZ. The rights granted to an Indian citizen by an Act of Parliament cannot be abrogated by an Executive Order of the Government.

Even an independent agency like the Indian Ocean Tuna Commission (IOTC) categorizes ‘coastal fisheries’ as fisheries carried out by vessels having an overall length of less than 24 meters and operating within the EEZ of its flag state.

It is seen from the consolidated FDI policy published by the Department of Industrial Policy and Promotion, Ministry of Commerce and Industry, Government of India that no foreign investment is permitted in the Fisheries sector. Therefore, the Notification dated 12.11.2014, which brings within the ambit of the operator, a joint venture company with at least 51% Indian equity is not in conformity with the consolidated FDI Policy Circular, 2014.

The new Guidelines have led to strong protests from the fishermen community across India including Tamil Nadu. The stance of the Government of Tamil Nadu, based on our revered leader Puratchi Thalaivi Amma’s consistent re-iteration, is that the rights of Indian citizens and fishermen to fish in India’s Exclusive Economic Zone should not be unnecessarily restricted. The Government



of Tamil Nadu reiterates its stand that all vessels below an OAL of 20 metres owned by fishermen should be given free access to the Indian EEZ whether they are registered under the State Marine Fishing Regulation Act or by other approved agencies.

The system now proposed to be applied by the Government of India needlessly promotes an LOP regime which has proved to be unsuccessful at the cost of domestic fishermen. In fact, a careful reading of the Report of the Expert Committee headed by Dr. B. Meenakumari reveals that the final recommendations do not automatically flow from the data and analysis contained in the Report. To quote from the position statement of the Central Marine Fisheries Research Institute (CMFRI) on the Expert Committee Report, “the Thoothoor fishermen of Kanniyakumari District of Tamil Nadu are harvesting approximately 45,000 mt annually from the deep sea region, whereas, the vessels operating under Letter of Permission (LOP) report an annual catch of 1,900 mt as per the data presented in the Expert committee report”. This not only depicts the failure of the LOP scheme in exploiting the deep sea resources but also clearly indicates that our fishermen have attained the capacity and skill to venture into the deep sea and exploit the country’s deep sea resources.

The new guidelines not only restrict the open access of our fishermen in the EEZ, but also set a dangerous

precedent of allowing foreign vessels of more than 15 metres OAL under LOPs to compete with our fishermen for resources which need to be conserved for utilisation by our Nation and its citizens. The Government of Tamil Nadu under the visionary guidance of our revered leader Puratchi Thalaivi Amma, has initiated various schemes and training programmes so that the Tamil Nadu fishermen acquire international standard capabilities for undertaking deep sea fishing, including the provision of 50% subsidy assistance up to Rs.30 lakh to our fishermen for exploiting the untapped deep sea fishery resources. Hence allowing LOP vessels would adversely tilt the balance against our fishermen.

In view of the above, I request you to instruct the Department of Animal Husbandry Dairying and Fisheries to withdraw its order dated 12th November, 2014.

I also urge the Government of India not to issue any fresh guidelines for fishing operations in India till a new Fisheries Act is enacted. Before the Bill for the new Act is introduced in Parliament, this should be discussed with the Ministries in charge of Fisheries of the coastal States and a consensus on the bill arrived at.

In the above context, I request the Government of India:-

- To summarily reject the recommendations of the Expert Committee on Comprehensive Review of

Deep Sea Fishing Policy and Guidelines under the Chairpersonship of Dr. B. Meenakumari, DDG, ICAR as it contains recommendations which are detrimental to the welfare and livelihood propositions of our fishermen. The recommendations are not based on the data and analysis made in the report itself but are alien and extraneous to this.

- To rescind the Guidelines on Deep Sea Fishing issued on 12th November, 2014, and the Public Notice issued on 28th November, 2014, allowing the foreign fishing vessels under LOP in the Indian EEZ in order to fully protect the interests of our fishermen.

- No permission should be afforded to foreign fishing vessels or engagement of foreign crew under the LOP mechanism or through any other mechanism to fish in India's EEZ.

- No joint venture or any other form of agreement with a foreign individual or company should be permitted for undertaking deep sea fishing in India's EEZ.

- Protect and preserve the fishery resources in our EEZ for our artisanal fishing community which is now gearing up to exploit the untapped resources.

- Clearly define fishing vessels of length below 24 metres OAL as coastal fishing vessels and fishing vessels of length 24 metres OAL and above as Deep Sea Fishing Vessel (DSFV).

• The coastal fishing vessels of length below 24 metres OAL owned by our fishermen should be given open access in the Indian EEZ as provided under Section 7(5) of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act 1976, which provides to Indian citizens the freedom to fish in India's EEZ. The operation of such coastal fishing vessels belonging to Tamil Nadu fishermen may be regulated under the Tamil Nadu Marine Fishing Regulation Act 1983.

• The Government of India should delegate powers to regulate fishing by vessels of 24 metres OAL and above to the Maritime States.

• The Government of India should consider developing specialised infrastructure for landing of Deep Sea Fishing Vessels, safe berthing, reception and handling of high valued deep sea catch (like cold chain from harvest till consumption) to deliver premium quality fish to fetch premium value in the domestic and international markets.

I request you to direct the Department of Animal Husbandry, Dairying and Fisheries to issue appropriate orders on the above lines. I sincerely hope that the Government of India will accord top most priority to this sensitive livelihood issue of our fishermen.





**Tamil Nadu Seeks Strict Adherence
to Provisions of RTE Act**



D.O. letter dated 05.05.2015

“As you are aware, **“The Right of Children to Free and Compulsory Education Act”** was enacted in 2009 and came into force from 1.4.2010. The aim of the Act is to provide to every child of the age of 6 to 14 years, the right to free and compulsory education in a neighbourhood school. The **Right of Children to Free and Compulsory Education Rules, 2010**, were notified by the Government of India on 8.4.2010. The Government of Tamil Nadu, under the leadership of my revered leader Puratchi Thalaivi Amma has also notified the **Tamil Nadu Right of Children to Free and Compulsory Education Rules** on 8.11.2011.

Section 12(1)(c) of the Act requires all unaided private schools to admit in Class I or in pre-school, if the school imparts pre-school education, children belonging to weaker sections and disadvantaged groups to the extent

of at least twenty-five percent of the strength of that class. Section 12(2) provides for reimbursement of the expenditure incurred by the unaided private schools for the children admitted in the twenty-five percent reservation category based on the per-child expenditure incurred by the State or the actual amount charged from the child whichever is lesser. Section 7(i) of the Act provides that the Central and State Governments shall have 'concurrent' responsibility for carrying out the provisions of this Act. The same has been emphasized in Rule 7 of the National Right of Children to Free and Compulsory Education Rules wherein it is stated that the Central Government shall prepare annual estimates of capital and recurring expenditure for carrying out the provisions of the Act. It further adds that the Central Government shall hold consultations with the State Government and determine the percentage of expenditure which it shall provide to the State Governments as grants-in-aid of revenues for the implementation of the Act.

The Government of Tamil Nadu notified on 8.11.2011 the definition of a child belonging to weaker sections and disadvantaged groups for the purpose of seeking admission under the 25% reservation as provided in the RTE Act in private unaided schools. As a follow up, 49,864 children were admitted in 2013-14 and 86,729 children in 2014-15. The admissions were made either in pre-school or in Class I as provided for under Section 12(1) (c) of the RTE Act. The private schools have submitted

their claims for reimbursement to the Government of Tamil Nadu amounting to Rs.25.13 crores in 2013-14 and Rs.71.91 crores in 2014-15. The State Project Director, Sarva Shiksha Abhiyan wrote to the Ministry of Human Resources Development on 18.10.2013 for reimbursement of Rs.25.13 crores for the year 2013-14. However, there was no response from the Ministry. Despite this, with the persuasion of the Government of Tamil Nadu, 86,729 children were admitted in 2014-15 in the unaided private schools under the provisions of the RTE Act. This issue had also been raised by my revered leader Puratchi Thalaivi Amma in the Memorandum presented to you on 3.6.2014.

In the meantime on 24th March, 2014, the Ministry of Human Resources Development wrote to all State Governments indicating that the reimbursement of expenditure incurred for 25% admissions in private unaided schools under Section 12(1)(c) of the RTE Act has been included under head of addressing equity issues in elementary education within the Sarva Shiksha Abhiyan Framework. It was also indicated that the reimbursement would be effective from 1st April, 2014. Further, the reimbursement would be only for Classes I to VIII and subject to a maximum ceiling of 20% of the total Annual Work Plan and Budget approved by the Government of India for a State / UT under Sarva Shiksha Abhiyan. **Based on these unilateral and arbitrary amendments to the Sarva Shiksha Abhiyan Framework, the claim of Rs.25.13 crores submitted by the Government of Tamil**

Nadu for the year 2013-14 has not been admitted. Further, the claim submitted for 2014-15, for an amount of Rs.71.57 crores has been restricted to a measly amount of Rs.14 lakhs. This restriction of the claim to Rs.14 lakhs is because the new framework makes expenditure incurred on children enrolled in Class I and upwards eligible for reimbursement. This is a completely arbitrary restriction and violates the provisions of Section 12(1)(c) of the Act, which provides for admitting children belonging to weaker sections and disadvantaged groups in pre-school as well, where the school imparts pre-school education. In Tamil Nadu, hardly any private schools admit children in Class I and children are invariably admitted in pre-KG. If a child is not admitted in the school at this stage, it would be very difficult for the child to secure admission in Class I.

In this context, the amendments to the Sarva Shiksha Abhiyan Framework made by the Ministry of Human Resource Development are not just in contravention of the provisions of the Act, but also severely handicap children belonging to weaker sections and disadvantaged groups. If the expenditure is not reimbursed, such children will not get admission in private, unaided schools at all. Further, placing the entire burden of reimbursing fees to students admitted to pre-school on the State Government, is a contravention of Section 7(1) of the Act and Rule 7 of the RTE Rules. **It appears as if the erstwhile UPA Government which notified the changes to the SSA Framework in March,**

2014, was not serious about implementing the RTE Act in its letter and spirit. You now have an opportunity to rectify the situation and ensure that children belonging to weaker sections and disadvantaged groups have access to unaided private schools. However, if the Ministry of Human Resource Development does not change its obdurate stance, it could place in jeopardy the future of the 1,36,593 children who have already been admitted in the academic years 2013-14 and 2014-15 and are pursuing their education in unaided private schools.

To fulfill its statutory responsibilities, the Government of Tamil Nadu would continue to admit children belonging to weaker sections and disadvantaged groups under the 25% reservation category in unaided private schools in the academic year 2015-16 also. Hence I request your personal intervention to ensure that the provisions of the RTE Act are strictly adhered to by the Ministry of Human Resources Development and the reimbursement of expenditure incurred by schools in Tamil Nadu amounting to Rs.97.04 crores is reimbursed urgently. I also request you to kindly direct the Ministry of Human Resources Development to ensure that suitable changes are made in the Sarva Shiksha Abhiyan Framework to bring it in line with the provisions of the RTE Act and also to remove the uncertainty surrounding the educational prospects of children belonging to weaker sections and disadvantaged groups who seek to benefit from the provisions of the Act”.





**Centre Asked to Remedy Problem
of Vallur Plant Coal Shortage**




D.O. letter dated 07.05.2015

“I write to bring to your kind notice the shortage of coal due to non-availability of railway rakes at the NTPC – TANGEDCO Joint Venture power plant at Vallur, which is managed by NTPC.

As you may be aware, NTPC Tamilnadu Energy Company Limited (NTECL) is a Joint Venture Company of Tamil Nadu Generation & Distribution Corporation Limited (TANGEDCO) and NTPC Limited (a Central Public Sector Undertaking). NTECL has a 1,500 MW (3 x 500 MW) coal based power plant at Vallur in North Chennai. All the three units have declared commercial operation. Tamil Nadu State has been allocated about 1045 MW from this power plant.



Although the plant is capable of generating 1500MW of power at present, the generation from the station is restricted on account of short supply of coal from the





Mahanadi Coal field, Talcher in Orissa due to the limited availability of empty railway rakes at Talcher coal mines. I am given to understand that the Ministry of Railways is not able to provide enough number of empty railway rakes at Talcher Coal Mines. As a result one of the units at Vallur is always under shutdown. Augmentation of coal supply to NTECL Vallur Plant would greatly help the State of Tamil Nadu to meet the state's power demand during the summer.

May I therefore request your personal intervention in this matter and instruct the concerned authorities to arrange for adequate supply of railway rakes to ensure uninterrupted supply of coal to NTECL Vallur Thermal power plant to manage the peak power demand during summer”.



**‘Centre should Ensure that Expenditure
Priorities of States are not Distorted’**

D.O. letter dated 08.05.2015

“As you are aware, the Fourteenth Finance Commission (14th F.C.) has recommended a substantial enhancement in the share of the States in the divisible pool of central taxes from 32% to 42%. Our revered leader Puratchi Thalaivi Amma had addressed the 14th FC in December, 2013, and made out a strong case for such an enhancement in the tax devolution share of States. Hence, while we welcome this increase in non-discretionary and assured transfer of resources from the Centre to the States, it is important to note, that the Commission’s recommendations do not represent an aggregate increase in the gross transfer of resources from the Centre to the States. In fact, the Commission expects the gross transfer to be 49% of the gross tax receipts of the Centre, which is less than the 53.4% level reached in 2011-2012.

But what is even more distressing is the fact that despite the very strong case made out for fair and equitable treatment and a recognition of the issues facing the State by our revered leader Puratchi Thalaivi Amma, Tamil Nadu has been singled out for the sharpest reduction in its share in the divisible pool of taxes. As against 4.969% share in the divisible pool of Central Taxes recommended by 13th FC, Tamil Nadu's share has come down to 4.023% in the 14th FC's recommendations. The unbalanced formula adopted by the 14th FC has virtually singled out Tamil Nadu for the most adverse treatment. The reduction in the inter-se share of Tamil Nadu of 19.14% represents the biggest loss in share amongst all States. Other similarly placed States with higher than average per capita GSDP have gained from the increase in the weight to the Area criterion, the introduction of the Demographic change and forest area criteria, while poorer States have gained from the Income Distance criterion. Tamil Nadu has lost out on all counts and has been doubly penalized for its prudent fiscal management as it has not received revenue deficit grants.

The observations of the Commission regarding the use of 1971 population as the basis for determining allocations have long term implications for States like Tamil Nadu which moved earlier to a small family norm as part of a national goal. The reduction in weightage for the 1971 population is unfair to such States. Further, as funds are

intended for people, population, and that too the 1971 population, has to necessarily be the most important criterion in tax devolution. The Commission has deviated from this principle.


The non inclusion of the Fiscal Discipline criterion has hurt Tamil Nadu, a State that performs. Previous Commissions have emphasized this criterion. Tamil Nadu, under the leadership of our revered leader Puratchi Thalaivi Amma has been fiscally prudent, managing its finances well through considerable tax effort and adroit expenditure management. Tamil Nadu has thus lost out twice over, as its fiscal effort goes unrecognized in the devolution criteria and it is not eligible for revenue deficit grants. This is totally demoralizing for a fiscally prudent, performing State like Tamil Nadu.

The very large drop in Tamil Nadu's share in the divisible pool is barely compensated by the increase in the overall devolution pool by 10%. Tamil Nadu's over all share in Central taxes has increased by just 0.1% from 1.59% to 1.69%. The Finance Commission has also recommended no special purpose grants and State specific grants of which Tamil Nadu received Rs.4669 crores during the 13th Finance Commission period. The loss to Tamil Nadu, due to the reduction in its share in the divisible pool and the discontinuance of special purpose and state specific grants is estimated at Rs.6000 crores per annum. With

the inevitable reduction in Central Plan assistance, Tamil Nadu will stand to lose even more. Hence, Tamil Nadu has cause to be seriously aggrieved with the recommendations of the 14th Finance Commission.

The Union Budget 2015-16 has piled on more distress on Tamil Nadu through some of its proposals. In the Union Budget, the Central Government has found numerous ways to claw back the increased devolution recommended by the 14th FC. These include the following:


- The conversion of Rs.4 per litre out of the specific duty of petrol and diesel into road cess takes that much of revenue out of the divisible pool and it becomes the exclusive revenue of the Central Government.
- Similarly, while the abolition of wealth tax and its replacement with a surcharge of 2% on the super rich is a pragmatic move, the surcharge is not shareable with the States.
- The Budget Documents also de-link 12 schemes from Central Assistance and this includes Normal Central Assistance (based on the Modified Gadgil-Mukherjee formula), Modernization of Police, Backward Regions Grant Fund and the Hill Areas Development Programme and Western Ghats Development Programme.
- In addition, the State's share for 13 key programmes, including National Agricultural Development Programme,



Pradhan Mantri Krishi Sinchai Yojana, Swaccha Bharat Abhiyaan, National Health Mission, National Livelihood Mission, Smart Cities Programme, Housing for All and Integrated Child Development Service (ICDS) is going to be enhanced, which means that State Government's expenditure priorities would be determined by Government of India.

The State being required to take on additional burden of expenditure on Central Government priorities is an unfair expectation and outcome. Further, as my Revered Leader Puratchi Thalaivi Amma has already stated on a number of occasions in the past, in Centrally Sponsored Schemes, the States' share should be limited to a maximum of 25% of the scheme cost in order to ensure that the States' own expenditure priorities are not distorted. This may be kept in mind when the Centrally Sponsored Schemes that are proposed to be continued are re-designed by the various Ministries.

Further, we find that the Union Budget has a provision of Rs.20,000 crores to be allocated for schemes approved by the NITI Aayog. I strongly urge you to ensure that the unfair treatment meted out to Tamil Nadu by the Fourteenth Finance Commission is at least in part redressed by a sizeable allocation to Tamil Nadu out of the funds set apart for schemes to be approved by the NITI Aayog. We have a ready shelf of large schemes that could be funded out of



this allocation including the package of measures required to encourage deep sea fishing including replacing trawlers with tuna long-liners, desalination projects along the coast including near Chennai city and viability gap funding for the Chennai Monorail Project. I request you to issue necessary directions to NITI Aayog to consider funding such specific projects from Tamil Nadu from their special allocation”.

